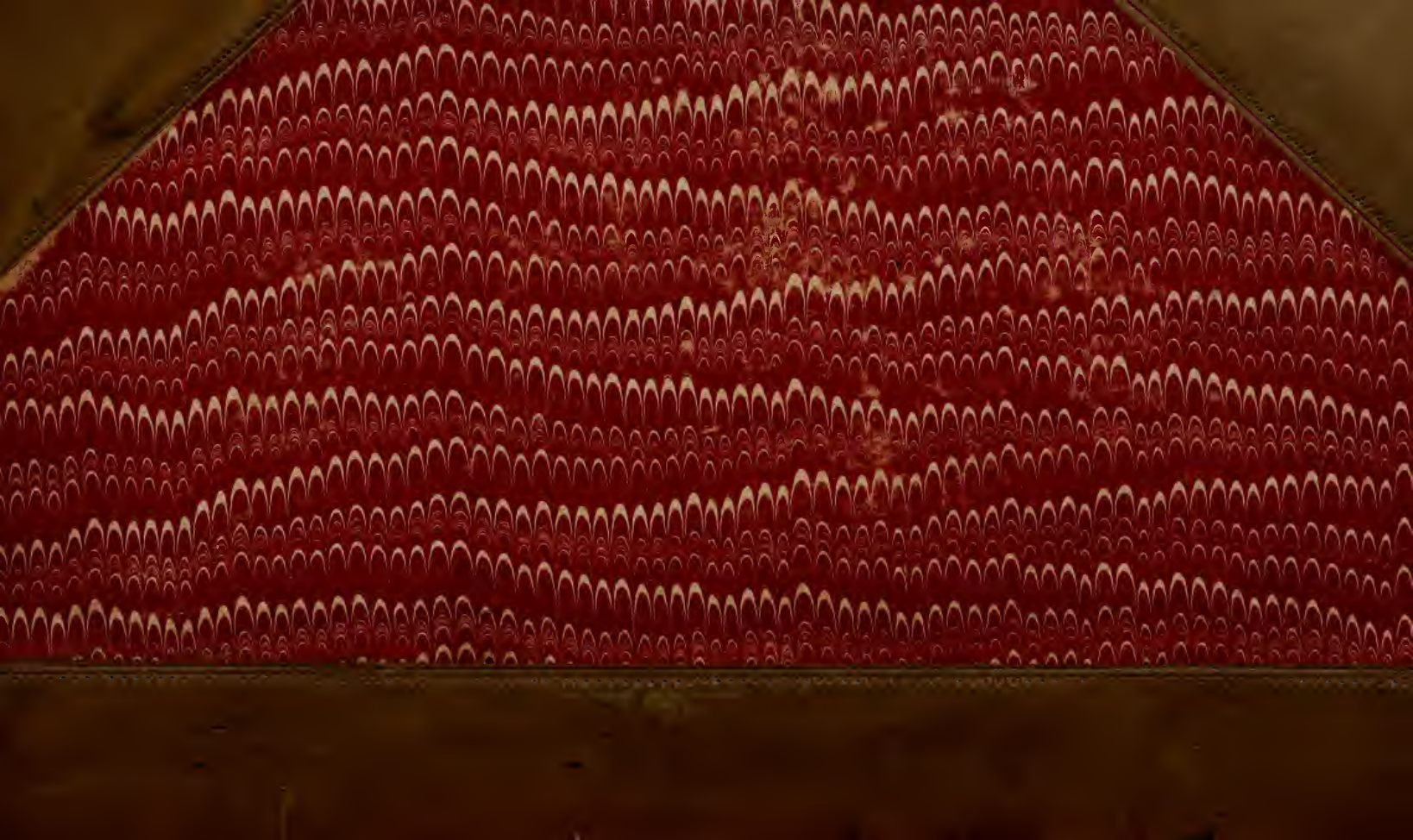

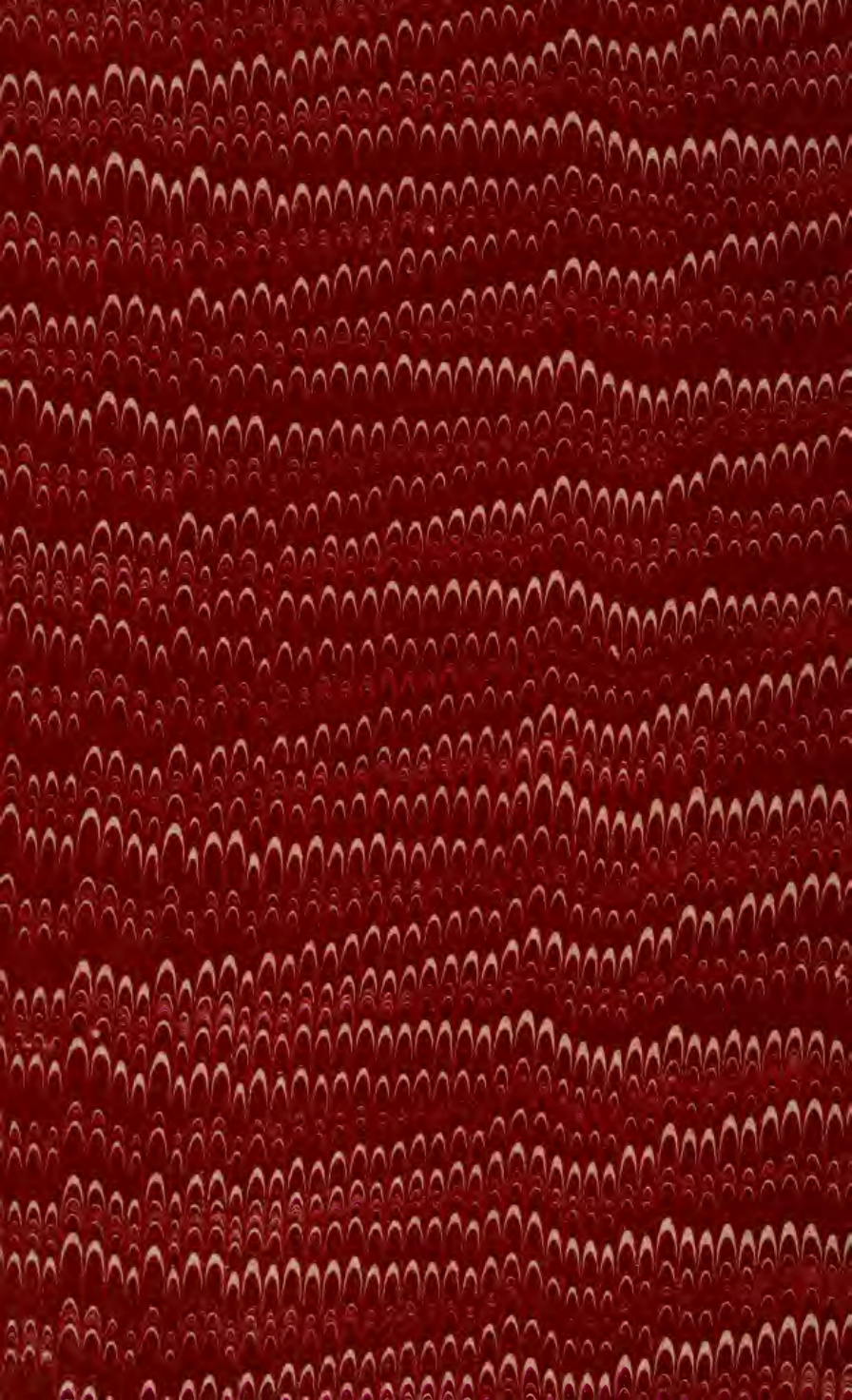

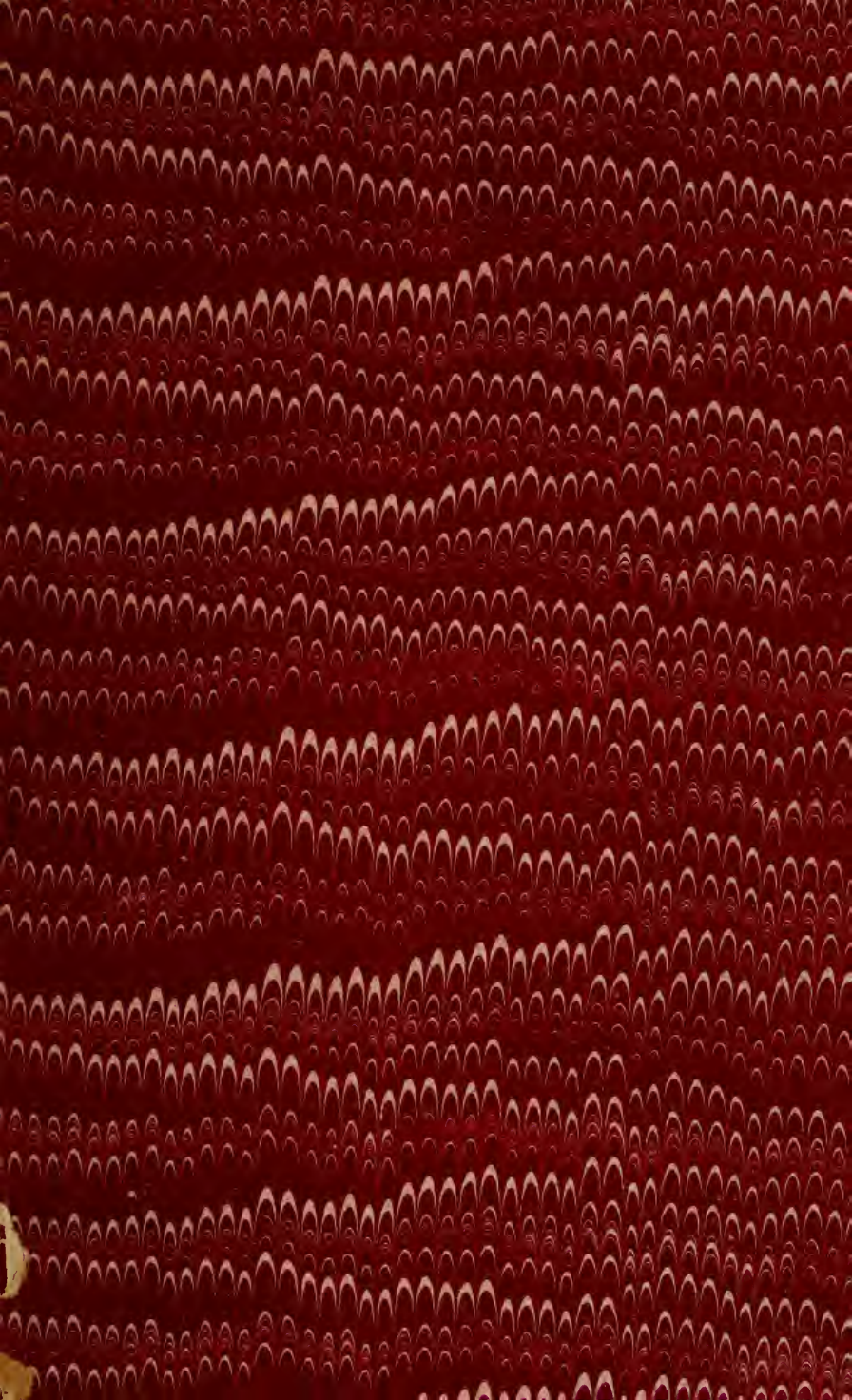

RESOLVES

OF THE

GENERAL COURT

OF THE

Commonwealth of Massachusetts,

PASSED AT THE SEVERAL

SESSIONS OF THE GENERAL COURT,

COMMENCING MAY 31, 1815, AND ENDING FEBRUARY 20, 1819.

Published agreeably to a Resolve of 16th January, 1812.

VOL. VII.

BOSTON:
PRINTED BY RUSSELL & GARDNER, FOR BENJAMIN RUSSELL,
PRINTER TO THE STATE.

1819.

RESOLVES

OF THE

GENERAL COURT

OF THE

Commonwealth of Massachusetts,

PASSED AT THEIR SESSION,

WHICH COMMENCED ON WEDNESDAY, THE 31st DAY OF MAY, AND WHICH ENDED ON THE 15th JUNE, 1815.

Published agreeably to a Resolve of 16th January, 1812.

BOSTON :

PRINTED BY RUSSELL, CUTLER AND CO. FOR BENJAMIN RUSSELL, PRINTER TO THE STATE.

1815.

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FOR THE POLITICAL YEAR 1815—16.

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RESOLVES

OF THE

GENERAL COURT OF MASSACHUSETTS,

PASSED AT THEIR SESSION,

WHICH COMMENCED ON THE 31st DAY OF MAY, AND ENDED ON THE 15th DAY OF JUNE, A. D. 1815.

GOVERNOR'S SPEECH.

REPRESENTATIVES' CHAMBER, JUNE 3d, 1815.

At 12 o'clock, the Senators attended in the Representatives' Chamber, agreeably to assignment when His Excellency the Governor came in, accompanied by his Council, the Secretary of the Commonwealth, and other officers of government, and delivered the following

SPEECH :

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

SINCE the commencement of the last session of the General Court, the differences which lately subsisted between the Government of the United States and Great Britain, have been adjusted by the ratification of a Treaty of Peace. Our grateful acknowledgements are therefore due

to the Supreme Being, for the kind interposition of his providence, in thus putting an end to the miseries of war.

Other nations have also been rescued from the same calamity. After a long and most sanguinary conflict, in which every part of Europe was threatened with an insupportable military despotism, the civilized world at the close of our contest with Great Britain, was again restored to peace.—In a state of general tranquillity, which, notwithstanding the late events in Europe, we hope will soon be re-established, each nation is at liberty to pursue without interruption, the measures most condusive to its happiness; and we may be assured that the people among whom the virtues of probity, industry and economy most generally prevail, will be the most successful. I hope our constituents will have a large share of the benefits which an undissembled and permanent renewal of friendship is calculated to bestow; and that the future prosperity of the people of these States will not be interrupted by an unnecessary interference in the disputes and conflicts which may arise in other nations.

When the repeal of the British orders in council was known in this country, it was the professed object of the government, in continuing the war, to compel Great Britain to renounce the claim of searching for her seamen and taking them from our merchant vessels. But as there is not any provision to that effect in the treaty of peace, this subject of the war is relinquished, and we have no pretence again to commit hostilities for the same cause. Nor is it probable that England, or any other of the great nations of Europe, will ever consent to abrogate the general law of perpetual allegiance. Their claims, however, on this point, will do us no important injury, if our government takes effectual measures to exclude foreigners from the employment of navigating our ships, and in this way affords substantial protection and encouragement to our native seamen. The remedy is therefore in our own power. But if we allure foreign seamen into our service, or continue to employ them, even though they may have conformed to our rules of naturalization, we shall again be liable to the inconveniences from impressment which we have heretofore experienced, especially, whenever a war takes place between the maritime powers of Europe. An attempt, after the ratification of the late treaty, to negociate for the establishment of the principle, that the flag shall in all cases protect the crew, would, in the lan-

guage of a member of the government, be an act of folly which would expose us to derision.

We do not complain that the above concessions are implied in the treaty : we hope that in all respects the measures of our government will be just and conciliating : for in this way only can we reasonably expect peace abroad, or mutual confidence at home. To the great body of the people, it is a matter of indifference by whom the government is administered, if the conduct of the administration is calculated to promote justice and public tranquillity.

Although the declared objects of the war have not been attained by the treaty, the expressions of joy at the restoration of peace were universal, even before the conditions of the treaty were known. Since they have been made public, though it appears that some of the advantages we heretofore enjoyed under former treaties with Great Britain, have not been renewed, yet the people of this State seem to acquiesce in the terms ; and perhaps they submit the more readily, as a great proportion of them have had no expectation from the beginning of the war, that the result would be more favorable. Our constitution was formed to promote the peace, security and commerce of these States, but was not calculated or designed to extend their dominion, or to conquer the territories of other nations. Had our arms prevailed in Canada, as the government seemed to expect, still Great Britain would not have relinquished any material part of her rights on the ocean ; while on the other hand, the enlargement of our territory by the conquest of the British provinces, would have been the source of a ruinous corruption, and must have tended to render the union less permanent.

In the course of the war, the government of this State endeavored to conform its measures to the principles of the constitution, and faithfully to execute the duties enjoined by that instrument. Whatever complaints have been made of the construction we gave it, whether relating to the command of the militia, or the right of the national government, to force the citizens into the ranks of the regular army, or to impair the authority of parents and guardians ; I think the experience and reflection of future times will confirm the correctness of our expositions ; and I presume, that the members of the present national government would have adopted the same construction, at any period during the administration of the two first Presidents of the United States.

Severe calamities are always incident to a state of war, but that state is still more to be deprecated if it shall be understood to furnish the government with an excuse for adopting measures subversive both of civil and political liberty.

To carry into effect the regulations that were deemed indispensible for the protection of the State, during the war, it was found necessary to borrow large sums, as well for the purchase of ordnance, arms and military stores, as for the support and pay of the militia, who at different periods, especially in the last year of the war were called out for the defence of the towns on the sea-coast. A number of arms were lent for the use of the inhabitants of those towns, part of which, agreeably to the directions of the Board of War, have been returned into the public arsenal. The report of the Quarter-Master-General will inform what towns have failed in returning the arms and other articles for defence which had been delivered to them ; and his letter which accompanies the report will suggest for your consideration the expediency of building an additional fire-proof Arsenal and Laboratory for the use of the State, to protect its property in the care of his department.

Of the debt incurred by this Commonwealth in the war of the revolution, about five hundred and fifty thousand dollars still remain due to individual creditors ; the amount of this debt will be considerably increased by our expences in the late war, exclusive of that part for which we have a just claim to be reimbursed by the national government. This subject will require the attention of the Legislature, that effectual provision may be made for the payment of the interest punctually, and the gradual discharge of the principal as soon as the circumstances of the State will permit. To effect these objects a prudent management of the public revenue is indispensible : this will go far to supply the wants of the State and prevent the people from being burdened with additional taxes, which profusion or negligence would render necessary, and which would tend to alienate their affections from the government.

By a resolve of the 12th of February, 1814, the Governor was authorised to accept the services of any military corps, or of individuals, as volunteers, and cause the same to be organized, to be held in readiness for the defence and safety of the Commonwealth : several companies were raised and organized accordingly, and in some instances, arms and

munitions of war were delivered to them, which still remain in their possession. But as the term for which those companies were raised, was not expressly limited by the resolve, doubts have arisen, whether they ceased to exist at the end of the war, or were permanently established as a part of the militia of the State. To remove these doubts, a resolution of the Legislature may be necessary.

The Secretary will lay before you, the report of the Commissioners appointed to proceed to the seat of the national government, for the purposes expressed in a resolve of the General Court of the 27th day of January last. He will also deliver to you a number of letters which have been directed to me with the expectation that they would be transmitted to the Legislature.

You may depend, Gentlemen, on my ready concurrence in whatever will contribute to the prosperity of the State; and I have no doubt, that by your influence and example, you will endeavor to promote good order, and the due execution of the laws, which are essentially necessary to the happiness of the people.

CALEB STRONG.

Council Chamber, June 3, 1815.

ANSWER

OF THE

HOUSE OF REPRESENTATIVES.

May it please your Excellency,

THE House of Representatives have considered with respect and attention, your Excellency's communication of the 3d instant; and they beg leave to express to your Excellency the gratification they feel, in having again the opportunity of addressing you, as the Chief Magistrate of this Commonwealth.

We unite with your Excellency, in considering the termination of the war between this country and Great Britain, by a treaty ratified since the commencement of the last session of the General Court, as a subject of joyful congratulation to the people of this Commonwealth; and that our grateful acknowledgements are justly due to that Being, "who is the Author of Peace and Lover of Concord," by whose "kind interposition" we have been snatched from those numberless evils, which, for a while, threatened to overwhelm us.

The mild reign of peace, so recently established in Europe, and which a few months since, promised a long repose to the exhausted nations, seems menaced with sudden interruption; and the pleasing expectations of the christian and philanthropist, are, we fear, destined to disappointment. Whatever may be the fate of Europe, we may reasonably hope, that the peace of our country will not be hazarded, by an unnecessary interference in the disputes which agitate other nations. In ordinary wars, neutrals are a convenience to belligerents; and, in the extraordinary conflicts, which have so long made mutual destruction the order of the day in Europe, it is seldom that any of the contending powers seem to have been interested, or inclined to involve the United States in hostilities. We should, therefore, presume, that our country is in little danger of being forced into war; and

that our national rulers, after the experience they have had of the difficulties, sacrifices and expenses attending war operations, will not again volunteer in the unprofitable contest. The task of repairing its past ravages upon the public and private resources of the country, will be sufficiently sad and arduous.

We agree in the opinion, that as the war has been concluded, without any stipulation relative to the impressment of seamen, it is to be presumed, that the future exercise of the right claimed by Great Britain on that subject, will no longer be considered as cause of war : and that by the exclusion of foregn seamen from our service, it is in our power to prevent all future dispute, or inconvenience, arising from that source, It is easy to do justice ourselves, and to conciliate it from others ; but if the last resort becomes necessary, it is wise to put our antagonist decidedly in the wrong. Such a course will produce mutual confidence and strength, at home, and diminish the chance of contention abroad.

Although the avowed objects of the war have not been attained by the treaty, there was yet ample reason for the general joy that pervaded the country on the restoration of peace. The credit of the nation, and its means of prosecuting the war were at an end—the sufferings of individuals flowing from the failure of public credit, and the suspension of business—the universal feeling that the salvation of the country depended on peace, rendered all question as to the actual provisions of the treaty trivial and insignificant. This state of the public feeling was, in itself, the most profound reproach to the authors of a war, whose evils were so wholly disproportionate to the avowed causes, that the latter were entirely forgotten in the pressure of the former. In another view the people had great reason to congratulate themselves on the conclusion of peace. War, under a free form of government, endangers civil liberty, while it disturbs or destroys individual prosperity and happiness. An unusual portion of power is then necessarily entrusted to executive and military officers—the violation or overthrow of the land marks of civil right are unnoticed or submitted to in the pressure of more interesting events—illicit trade, or legalized plunder take place of lawful commerce ; and the passions of men, roused and heated in the rival work of destruction, offer the most favorable moment to those who en-

tertain designs hostile to popular freedom. The peace of no nation ought to be put in jeopardy upon questions of a doubtful nature—but under a popular and paternal government, which is presumed to be uninfluenced by ambitious policy, the evils of war should be encountered only upon the most obvious and unquestionable grounds of necessity. The strength and resources of the country will then act with union and effect, and its reverses will be borne with manly and uncomplaining fortitude.

Although we have gained by the treaty little beside peace, yet we are informed by high authority, that the war was glorious and the peace honorable! By what course of reasoning that position can be maintained, we are at a loss to comprehend. Such a declaration may satisfy some men, but can afford no triumph to those, who believe that a very little more of such glory and such honor must have undone the country. It is indeed true, that our armies have gathered laurels, and our naval warriors, by a series of splendid achievements, have raised a monument of glory to themselves, while they have established by unquestionable proofs, the justness of that early policy of the federal government, which proposed to confide to a navy the protection of commerce and the defence of her maritime rights. For these achievements, and the advantageous light in which they exhibit to the world, the American naval and military character, we are indebted to a few individuals of merit, and not to an administration, whose mistakes and improvidence, have been but ill concealed, even behind the brilliant actions of the ocean, the lakes, and the Mississippi. In our estimation, a war, to be glorious, must be founded in justice, and conducted with prudence, ability, and success; and a peace, to be honorable, must have secured, by legitimate means, the objects of the war.

We presume it will not be denied, that, in the measures taken by the government of this Commonwealth, during the late war, it was intended faithfully to execute the duties enjoined by the constitution, and to be governed by its principles, according to a sound construction thereof. The course adopted has been attended by the most favorable results, and by the saving of great and useless expenses to the nation. It has also received the decided approbation of the people, as expressed in their elections; and we may cheerfully leave to the more impartial judgment of future

times to decide, whether the exposition of the principles of the constitution given by your Excellency, and sanctioned by the other departments of this government, is not the most consistent with the purposes of that instrument, as well as the most favorable to civil liberty. If the necessities produced by a state of war seem at any time to urge a departure from fixed principles, a degree of firmness and independence, that shall be unmoved by the suggestions of fear, or doubt, must be opposed at the threshold by those whose duty it becomes.

The other subjects mentioned in your Excellency's communication, on which the house may be called upon to act, shall receive that attention, which their importance may respectively demand—and, in the exercise of their constitutional duties, they will cordially cooperate with the other branches of the government in contributing all in their power to the promotion of law, order, and the happiness of the people.

ANSWER OF THE SENATE.

May it please your Excellency,

THE termination of the late unhappy contest between the government of the United States and Great Britain, affords to the Senate of this Commonwealth, the most unfeigned joy, and demands the most humble and hearty thanks of the people to the Almighty Disposer of events, by whose permission an end has been put to the miseries of war. And we congratulate your Excellency upon the present auspicious circumstances of our country, which are adapted to lighten the cares of government, and to give additional value to the recent pledge of confidence in your Excellency which has been renewed by the people of this Commonwealth.

It would be a most pleasing and consolatory prospect if the state of the nations of Europe authorized the expectation, that this interesting quarter of the globe was now destined permanently to reap the fruits of peace from which it has been so long estranged, and to repair the desolation of war by an amicable competition with each other and with our country in the pursuits of probity, industry and economy. But whatever may be the issue of the astonishing events which agitate the old world and confound human foresight, we unite with your Excellency in the sincere and anxious hope that the future prosperity of the people of these states may not be interrupted by a needless interference in the disputes and conflicts of other nations.

We should have derived great satisfaction from perceiving in the late treaty of peace, express stipulations, relative to the avowed objects of the war, which might have been calculated forever to put at rest the controversies which led to that calamity. But we complain not of the national administration, for the omission of such stipulations. We presume they were unattainable, and we readily express our conviction, that in acceding to the terms of the treaty, ge-

vernment consulted the best interests of the nation. We ardently hope that the good fortune which has enabled them to extricate the country and themselves from distress and embarrassment, will be accompanied by a sincere desire of a firm and protracted peace, and not by unfounded pretensions, which, by entangling our nation, in the broils of foreign powers, may expose its vital interests to needless danger.

We agree with your Excellency in the sentiment, "that to the great body of the people, it is a matter of indifference by whom the government is administered, if the conduct of the administration is calculated to promote justice and public tranquillity." And if the policy of our present rulers, shall be adapted to retrieve the national prosperity, to establish public credit, to promote justice, provide for the common defence, and prolong the blessings of peace, it will be the duty of every citizen, discarding all local and personal partialities, to cooperate each in his own sphere, in efforts for the attainment of these important objects.

The universal joy which the return of peace has infused into the public mind, is already justified by events at home and abroad. In our own beloved country, an enlivening impulse is already given to commerce and the peaceful arts. Industry is again occupied in all her branches, and the brow of care is smoothed by the sensation of prosperity. Public credit already revives, and may, by judicious fiscal arrangements, founded on unequivocal punctuality and good faith, be fully restored, and the rapid transition of the people from the depression which follows the want of occupation, to the animation which is inspired by the pursuit and expectation of competency, demonstrates that peace is the natural and favorite condition of the American citizen.

In the systems of some statesmen, it is an axiom, that occasional wars are indispensable to develope the power, organize the resources, preserve the military habits, and rouse the dormant energies of a peaceful community. If, among our men of influence, there should be any who cherish this theory, we trust that the glory acquired by our navy and army, the capacity and determination, manifested by this people, to defend their soil, and the facility with which the citizen was transformed into the soldier when the occasion required, will reconcile them to the conclusion, that

the present age, at least, will be in no danger of degeneracy through want of the renewed excitement of open war.

That in a confederacy newly organized, upon the first experiment of a trying and unexpected emergency, the minds of men should be agitated by collisions of opinion relative to the reciprocal duties of the national and state governments, ought not to be a matter of surprize. When the ferment arising in such a state of affairs shall have subsided, the wise and good of all parties, who feel an interest in the union and welfare of their country, will calmly review the ground and principles of their creed, and finally adhere to such expositions of the constitution as are warranted by its true meaning and design.

The considerations respecting the state of the finances of the Commonwealth, the debt incurred by the late war, the remarks relative to the militia, and other important topics suggested by your Excellency, shall receive our diligent attention and deliberate efforts to improve them to the best advantage of our constituents.

RESOLVES.

June, 1815.

CHAP. I.

Resolve establishing the pay of the Members of the General Court. 2d June, 1815.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to each Member of the Council, Senate and House of Representatives, two dollars per day, for each and every day's attendance the present political year, and the like sum of two dollars for every ten miles travel from their respective places of abode to the place of the sitting of the General Court, at each session of the same.

And be it further resolved, That there be paid to the President of the Senate and to the Speaker of the House of Representatives each, two dollars per day for each and every day's attendance, over and above their pay as Members.

CHAP. II.

Resolve providing for an additional Notary Public in the county of Bristol. 2d June, 1815.

Resolved, That one additional Notary Public be appointed for the county of Bristol, to reside in the town of Seekonk.

CHAP. III.

Resolve providing for an additional Notary Public in the county of Essex. 2d June, 1815.

Resolved, That one additional Notary Public be appointed for the county of Essex, to reside in the town of Newbury.

CHAP. IV.

Resolve providing for an additional Notary Public in Boston, in the county of Suffolk. 2d June, 1815.

Resolved, That one additional Notary Public be appointed for the county of Suffolk.

CHAP. V.

Resolve providing for an additional Notary Public in the county of Cumberland. 5th June, 1815.

Resolved, That an additional Notary Public be appointed for the county of Cumberland, to reside in Portland.

CHAP. VI.

Resolve on the petition of the Selectmen of town of Carmel. 5th June, 1815.

On the petition of the Selectmen of the town of Carmel, stating, that a portion of the laws and resolves of the General Court which had been committed to the care of Charles Hammond, Esq. for said town, were accidentally destroyed by fire before they arrived at the said town of Carmel, and praying that they may be furnished by the Commonwealth with such sets of the laws, resolves and reports as were thus destroyed, and it further appearing by the report of the Secretary of the Commonwealth, that there are now in the Se-

cretary's office, a number of each and all the laws of the Commonwealth, so that it is practicable to furnish the town of Carmel with such as they have lost :

Resolved, That the prayer of the said petition be granted ; and that the Secretary of the Commonwealth be directed to deliver to the Selectmen of Carmel, for the use of said town, such portion of the laws, resolves and reports of the Commonwealth, numbered in said petition, as were destroyed as aforesaid.

CHAP. VII.

Resolve granting a tax to the county of Franklin.
6th June, 1815.

Whereas the Clerk of the Circuit Court of Common Pleas, for the county of Franklin, has exhibited an estimate, made by the said Court, of the sum necessary to be raised the current year, for the purpose of completing the public buildings, and for discharging the other expenses of said county :

Resolved, That the sum of fifteen hundred dollars be, and the same hereby is granted as a tax on said county of Franklin the present year, to be apportioned, assessed, paid, collected, and applied for the purposes aforesaid, according to law.

CHAP. VIII.

Resolve on the petition of the Selectmen of Marblehead.
7th June, 1815.

The Committee of both Houses, to whom was referred the petition of the Selectmen of Marblehead, praying that the collection of a warrant of distress in favor of the Commonwealth against said town may be delayed, ask leave to report the following resolution.

W. P. WALKER, *per order.*

Resolved, For reasons set forth in said petition, that the Treasurer of the Commonwealth be, and he hereby is direct-

ed to delay the collection of a warrant of distress, issued by him against the inhabitants of the town of Marblehead, for the State tax assessed upon said town for the year eighteen hundred and thirteen, until the first day of January next.

CHAP. IX.

Governor's Message. 7th June, 1815.

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

The Secretary will lay before you a letter addressed to me by the President of the Board of War, inclosing abstracts of all the payments made by that Board to the last of May, 1815.

He will also deliver you a letter, which I have received from the Directors of the State Prison, representing, that the Proprietors of Prison Point Dam Corporation have located a bridge from Canal bridge to the prison-wharf, in a manner, which, if completed, may essentially affect the property of the Commonwealth, and seriously interfere with the future safekeeping of the convicts, and suggesting that the interference of the Legislature in the premises may be necessary.

The Honorable Joseph Whiton has resigned his office of Major-General of the ninth Division of the Militia of this State, and in compliance with his request has been discharged.

CHAP. X.

Resolve granting David Rixford $100. 9th June, 1815.

Upon the petition of David Rixford, praying for compensation for his trouble and expenses in detecting and prosecuting David Russell and Moses Atwood to conviction from crimes relating to counterfeiting bank bills :

Resolved, For reasons set forth in the said David Rixford's petition, that there be allowed and paid out of the Trea-

sury of this Commonwealth, to said David Rixford, the sum of one hundred dollars, as a compensation or reward, for his services, in detecting and bringing to conviction David Russell and Moses Atwood, in whose possession sundry plates and a large quantity of paper, for the making of counterfeit bank bills, were found by said Rixford ; and that his Excellency the Governor be requested to draw his warrant on the Treasurer for said sum accordingly.

CHAP. XI.

Resolve, in part relieving the town of Lynnfield of the sum charged to them for Representatives' pay.
9th June, 1815.

On the petition of the Assessors of the town of Lynnfield, in the county of Essex, praying to be relieved from a tax for the pay of Representatives :

Resolved, For the reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth to the inhabitants, of Lynnfield, the sum of sixty-nine dollars and eighteen cents.

CHAP. XII.

Resolve remitting cost on the petition of Honorable Solomon Smead. 10th June, 1815.

On the petition of the Honorable Solomon Smead, of Greenfield, praying for the discharge of an execution issued against him, for costs, in favor of the Commonwealth, in consequence of a resolve of the Legislature, ordering the Solicitor-General of this Commonwealth to commence an action against him ; that he might be discharged from the office of Judge of Probate for the county of Franklin :

Resolved, For reasons assigned in said petition, that the prayer thereof be granted ; and said costs are accordingly hereby remitted.

CHAP. XIII.

Resolve providing for the distribution of Jenkins' Art of Writing. 10th June, 1815.

Resolved, That the Secretary of the Commonwealth be, and he hereby is authorized and directed to deliver, of the copies of Jenkins' Art of Writing, the property of said Commonwealth, and now lodged in his said Secretary's office, one copy thereof to his Excellency the Governor, and one copy to his Honor the Lieutenant Governor, and a copy to each Member of the Council, Senate and House of Representatives, and also one other copy to and for each town, district and plantation in this Commonwealth, and likewise one copy to each of the Reverend Chaplains of the General Court.

CHAP. XIV.

Resolve authorizing one Justice to hold the next Supreme Judicial Court at Barnstable. 10th June, 1815.

Whereas it is inconvenient for three or more of the Justices of the Supreme Judicial Court to attend the next term of said Court, to be holden at Barnstable, for the counties of Barnstable and Dukes' County, and as it is probable little or no business will come before said Court, at said term, which will require more than one of said Justices ;

Therefore resolved, That the said term of said Court may be holden by any one of the Justices of said Court; and if there should any business come before the said Court to be acted upon at said term, which shall require more than one Justice to hear, try or determine, all such business may be heard, tried and determined by the said Court, at their next law term, to be holden within and for the counties of Plymouth and Bristol, unless the parties thereto shall agree to have it stand continued to the next term of said Court, to be holden at Barnstable for the said counties of Barnstable and Dukes' county.

CHAP. XV.

Resolve granting $48 *for the use of Mary Bassett.* 10th June, 1815.

On the petition of the Honorable Joseph Whiton, agent for Mary Bassett, of the town of Lee, praying for an allowance, in consequence of her son Jonathan Walley, who fell, fractured his scull, and died, while doing duty in the detached militia, in the month of September last;

Resolved, For reasons set forth in said petition, that there be allowed, and paid out of the Treasury of this Commonwealth, unto General Joseph Whiton, agent for the said Mary Bassett, and for her use, the sum of forty-eight dollars, in full for all the considerations contained in said petition.

CHAP. XVI.

Resolve on the petition of Thurston Card, granting him a pension. 10th June, 1815.

On the petition of Thurston Card, of Woolwich, praying further compensation for cost and damages, incurred in consequence of his having been wounded by a musket ball, while doing duty in the detached militia, when stationed at Coxe's head, in the month of September last;

Resolved, For reasons set forth in said petition, that there be further allowed, and paid out of the Treasury of this Commonwealth, unto the said Thurston Card, a pension of sixty dollars per annum, for three years, from the first day of October last; *Provided*, the said Card should live so long, in semi-annual payments.

CHAP. XVII.

Resolve granting Samuel Currier, thirteen dollars and twenty-five cents, for expense of sickness.
10th June, 1815.

On the petition of Samuel Currier, of Belchertown, praying indemnification for expenses incurred in consequence of his having been taken sick, while doing duty in the detached militia, the last fall, at Commercial Point;

Resolved, For reason set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to the said Samuel Currier, the sum of thirteen dollars and twenty-five cents, in full for all the considerations mentioned in said petition.

CHAP. XVIII.

Resolve granting David Sevey $125, for expenses incurred in losing his right hand, and a pension.
10th June, 1815.

On the petition of David Sevey, of Machias, praying indemnification for expenses and damages incurred in consequence of losing his right hand, while doing military duty on the first Monday of May, 1814.

Resolved, for reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, unto the said David Sevey, the sum of one hundred and twenty-five dollars, in full for his expenses, and a further sum of fifty dollars, annually, as a pension for four years, to commence on the third day of May, A. D. 1814.

CHAP. XIX.

Resolve on the petition of Elizabeth Rice, authorizing the Administrator on the estate of Phineas Rice, to execute a deed. 10th June, 1815.

On the petition of Elizabeth Rice, of Barre, in the coun-

ty of Worcester, setting forth, that on the fourth day of July, A. D. 1791, she purchased of one Phineas Rice, then in full health, but since deceased, one undivided third part of about thirty-two acres of land, situated in said Barre, bounded north on a town road; westerly on land of David Allen and Barnabas Atwood; south on land of said Elizabeth, and easterly on land of Samuel Rice and others; that the purchase money for said land was duly paid to said Phineas; that the said Elizabeth thereafter, in the lifetime of the said Phineas, entered into possession of the premises, and has ever since quietly remained in the occupation thereof; that through the negligence of the parties, the legal conveyance of the premises, in fulfillment of the contract aforesaid, was never made to the said Elizabeth by the said Phinehas, and thereupon praying for her remedy in the premises:

Resolved, For the reasons aforesaid, that Samuel Rice, Administrator on the estate of the said Phineas, be, and he hereby is authorized and empowered to convey by deed to the said Elizabeth, the premises so purchased as aforesaid; and such deed so made by the said Samuel to the said Elizabeth, in his said capacity, shall pass the said estate, and have the same effect in law as if the same had been made by the said Phineas in his life time, in pursuance of the contract by him made as aforesaid.

CHAP. XX.

Resolve appointing Benjamin Russell, Esq. Printer to the State. 10th June, 1815.

On the petition of Benjamin Russell, of Boston, in the county of Suffolk, praying to be appointed and employed as Printer to the General Court the ensuing year:

Resolved, That the said Benjamin Russell, for reasons set forth in his said petition, be, and he hereby is appointed the Printer of this Commonwealth for one year, from the fourth day of June instant, to be fully completed and ended, and until another State Printer shall be appointed in his stead: *Provided*, he, the said Russell, shall do and perform, or cause to be done and performed, the printing, in a

faithful and workmanlike manner, on good and suitable paper, and with all reasonable dispatch, and to the acceptance of the officers for whom the work may be done.

Be it further resolved, That the compensation which shall and may be allowed and made to the said Benjamin Russell, for printing and materials furnished as aforesaid, shall be such as the Committee on accounts may deem to be just and reasonable, they, the said Committee on accounts, taking into consideration and comparison, the pay and allowance heretofore made for similar and like services rendered, and articles furnished by printers to the General Court, for several years last past.

CHAP. XXI.

Resolve allowing $6000 *for the use of State Prison.*
10th June, 1815.

Resolved, That there be allowed and paid out of the public Treasury, for the use of the State Prison, the sum of six thousand dollars, to be drawn from the Treasury by the Warden of said Prison, in such sums as the Directors shall, from time to time, direct; and his Excellency the Governor, with advice of Council, is hereby requested to draw his warrants on the Treasurer for said sums accordingly.

CHAP. XXII.

Resolve abating $133 33, *to the town of Dighton.*
10th June, 1815.

On the petition of Rufus Whitmarsh, in behalf of the town of Dighton, praying for an abatement of taxes:

Resolved, For reasons set forth in said petition, that the prayer of said petition be so far granted, that the sum of one hundred and thirty-three dollars and thirty-three cents be abated to the said town of Dighton, in the last State tax, and that the said town is discharged of said sum in said tax accordingly.

CHAP. XXIII.

Resolve granting further time to the heirs of Edward Tyler, to settle township Letter D. 12th June, 1815.

On the petition of Joseph D. Bass, for the heirs of the late Edward Tyler, Esquire, and others, owners of a township in the county of Oxford, called Letter D. praying further time to effect the settlement of the number of families required by their deed;

Resolved, For reasons set forth in said petition, that a further time of two years, from the first day of June, instant, be, and hereby is allowed to the heirs and assigns of the late Edward Tyler and others, to complete the settlement of forty families on said township Letter D. and if they, the said heirs or assigns, shall settle within said time, the said number of families on said township, that then the estate and right of said heirs and assigns, shall be valid, full and effectual, to all intents and purposes, as if the conditions of settlement had been seasonably complied with: *Provided nevertheless*, The said Tyler's heirs and assigns, shall, on or before the first day of September next, give bonds to the Commonwealth, with sufficient surety or sureties, to the satisfaction of the Agent for the sale of Eastern Lands, conditioned, that the number of families required in said original deed, to be settled on said township, shall, within said term of two years, be settled thereon, or for the payment of thirty dollars for each family which shall then be deficient of the whole number.

CHAP. XXIV.

Resolve on the petition of Elizabeth Brewer and others. 12th June, 1815.

On the petition of Elizabeth Brewer, of Roxbury, in the county of Norfolk, widow of Ebenezer Brewer, late of said Roxbury, trader, deceased, for herself and as Guardian of Lorenzo Richards and Albert Brewer, minors; Stephen Childs, of said Roxbury, as Guardian of Mary Foster

Brewer, a minor; Chenery Clark, of Roxbury aforesaid, as Guardian of Ebenezer Brewer, a minor; Joseph Davenport, of said Roxbury, as Guardian of Joseph Brewer, a minor; John Clap, of said Roxbury, as Guardian of Adeline and William Brewer, minors; all the said minors being children, and all the children of the said Ebenezer Brewer, deceased; Elisha Tobey, of Dorchester, in said county, for himself, and as Guardian of his daughter Sally Humphreys Tobey, a minor; John Humphreys, of Dorchester aforesaid, yeoman, and Chenery Clark and Charles Davis, as Administrators of said deceased; praying, that the said widow and Guardians may be empowered to convey to the said Elisha Tobey, Sally Humphreys Tobey, and John Humphreys, in the manner therein set forth, a certain piece of land, in Dorchester aforesaid, on payment of a certain sum of money; and also that the said Elisha Tobey may be authorized to convey to the said children of Ebenezer Brewer, an undivided moiety of a certain tract of wood land in said Dorchester:

Resolved, That for the reasons set forth in said petition, the said widow and Guardians be, and are hereby authorized and empowered to convey, by a joint deed, under their hands and seals, to the said Elisha Tobey, Sally Humphreys Tobey and John Humphreys, a certain piece of land in Dorchester aforesaid, one moiety thereof to the said Elisha Tobey and Sally Humphreys Tobey, their heirs and assigns equally, as tenants in common, and the other moiety to the said John Humphreys, his heirs and assigns; the said land being bounded as follows: Northerly by land of Magee; easterly by a creek and by land of Stephen Williams, Jacob and Joseph Bird, and the heirs of Ebenezer Clap, Esq.; southerly as far as land of John Nazro, by a road leading to South Boston; then by Nazro's land; then by said road again; then by land of Jacob and Joseph Bird; then by a road leading from Roxbury to Dorchester, to the first mentioned boundary;—and such deed, executed as aforesaid shall give to the said Elisha, John and Sally, all the right, title and interest, which the said widow and heirs of Ebenezer Brewer have or may have in and to the premises; *Provided nevertheless*, That, before such conveyance, the said Elisha, Sally and John shall pay to each of the children of the said Ebenezer Brewer, ninety-seven dollars and sixty-four cents.

And it is further resolved, That the said Elisha Tobey be, and he is hereby authorized and empowered to convey, by deed, under his hand and seal, to the children aforesaid of Ebenezer Brewer, deceased, and their heirs and assigns equally, as tenants in common, one undivided moiety of a certain tract of wood land in Dorchester aforesaid, described as follows: Bounded easterly and southerly by land of Jeremiah McIntosh; westerly by land of Elisha Whitney; northerly by land of Ebenezer Seaver;—and such deed shall be sufficient to convey to the said children, all the right, title and interest that the said Elisha Tobey, or the said Sally Humphreys Tobey have or may have, in and to the premises.

CHAP. XXV.

Resolve making valid any discharge Catharine Lock may execute on the receipt of any legacies bequeathed to her by her late mother. 12th June, 1815.

Upon the petition of Catharine Lock, of Cambridge, wife of Bezaleel Lock, late of Boston, stating, that the said Bezaleel had absented himself from this Commonwealth, and gone to parts unknown to the said Catharine, and left her in indigent circumstances, with children dependent on her for support; that Hannah Learned, mother of the said Catharine, had, in and by her last will and testament, bequeathed to her, the said Catharine, one seventh part of the proceeds of certain real estate, which James Frost, of said Cambridge, was authorized and empowered by the said testatrix to sell and convey; that the said estate has been sold, and that the said executor refuses to pay the amount of said legacy to the said Catharine, in the absence of her husband, on account of her inability to make and execute a valid discharge; and praying that she may authorized to make such discharge, notwithstanding her coverture.

Resolved, For reasons set forth in said petition, that the said Catharine Lock be, and she is hereby authorized and empowered to receive, of the said James Frost, any legacy or legacies bequeathed to her, the said Catharine, in and by the last will and testament of her mother, Hannah Learned,

and to make and execute to him, the said Frost, a legal and valid discharge for the same, which discharge shall be as effectual to bar the husband of the said Catharine, or his heirs, from hereafter claiming the same, as if the said discharge had been made and executed by the said Bezaleel Lock himself.

CHAP. XXVI.

Resolve allowing Benjamin Baldwin further time to pay sums due to the State. 12th June, 1815.

On the petition of Benjamin Baldwin, of Egremont, in the county of Berkshire, praying that further time may be granted him to pay sums due to the Commonwealth:

Resolved, For reasons set forth in the said petition, that for the payment of the first sum mentioned in said petition, he be allowed till the last day of January, in the year of our Lord one thousand eight hundred and sixteen: For the payment of the second sum mentioned in said petition, he be allowed till the last day of January, in the year of our Lord one thousand eight hundred and eighteen: For the payment of the third sum mentioned in said petition, he be allowed till the last day of January, in the year of our Lord one thousand eight hundred and twenty: And that he be allowed till the last day of January, in the year of our Lord one thousand eight hundred and sixteen. to make the first payment of interest mentioned in said petition, and that all after payments of interest be made by him on the last day of January, annually.

CHAP. XXVII.

Resolve appointing Commissioners for assessing the Proprietors of Slough Meadow, in Lewistown, on an application from Joel Thompson and others. 12th June, 1815.

On the petition of Joel Thompson and Israel Ham, praying, among other things, the Court to appoint Commissioners to assess and apportion such expenses upon the several

Proprietors of Slough Meadow, in the town of Lewistown, in the county of Lincoln, as the Committee which was appointed by the Court of Common Pleas for the said county of Lincoln, (for that purpose) have already been at in flowing said meadow;

Resolved, That the prayer of said petition be so far granted, that Oliver Barron, of said Lewistown, Andrew R. Giddings, of Pejepscot, in the county of Cumberland, and Aaron Dwinal, of Lisbon, in the county of Lincoln, be, and they are hereby appointed Commissioners, with full power and authority to assess (being first sworn for that purpose) on the Proprietors of said Slough Meadow, so called, all such expenses as the said Committee, so appointed by said Court of Common Pleas, have been at in executing the duties of their said appointment, together with the expenses in executing the duties of this appointment, and to appoint a Collector to collect the same, and to commit a bill of such assessment to such Collector, with a warrant in due form of law, to collect the same, and the same pay over to such person as they shall appoint Treasurer for said Proprietors; and make up and complete a settlement with such Treasurer in a reasonable time, by them to be appointed and expressed in such warrant; and also to do and perform all and singular thing or things touching the expenses already incurred as aforesaid, which the said Committee, appointed by the said Court of Common Pleas, could have done by virtue of their said appointment.

CHAP. XXVIII.

Resolve authorizing the Overseers of the Black Ground and Herring Pond tribe of Indians to sell land.
12th June, 1815.

On the petition of Joshua Thomas, Ephraim Spooner, and Gideon Hawley, Overseers of the Black Ground and Herring Pond tribe of Indians, praying for a license to sell lands of the said tribe, to a certain amount:

Resolved, For reasons set forth in said petition, that the prayer thereof be granted, and that the said Overseers, or the major part of them, be, and they hereby are authorized

and empowered to sell so much of the land belonging to said tribe, at public vendue, as shall amount to one thousand dollars, for the purpose of paying the debts of said Indians, and to make and execute a good and sufficient deed or deeds of the same ; they first giving similar notice of such sale and taking a similar oath, to the notice and oath by law required to be taken by Executors and Administrators, previous to their selling the real estate of their Testators or Intestates, and also giving bond to the Treasurer of this Commonwealth, for the use of said tribe, with a sufficient surety or sureties, to be approved of by the Justices of the Circuit Court of Common Pleas, for the Southern Circuit, to account for the proceeds of such sale or sales, in the settlement of their account of their said Overseership.

CHAP. XXIX.

Resolve granting Jeduthan Stevens, Jr. $50, *in consequence of a wound received while on military duty.* 12th June, 1815.

On the petition of Jeduthan Stevens, Jr. of North-Brookfield, praying for an allowance in consequence of losing his left thumb, by the splitting of a gun, while attending on military duty :

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth unto the said Jeduthan Stevens, Jr. the sum of fifty dollars, in full for cost and damages occasioned by said accident.

CHAP. XXX.

Resolve allowing compensation to Daniel Whitney and Hezekiah Newcomb, for lots of land they purchased of the Commonwealth, which on running the line proved to be within the Waldo Patent. 12th June, 1815.

On the petitions of Daniel Whitney, of Hampden, and Hezekiah Newcomb, of Number Two, in the first range

north of the Waldo Patent, both in the county of Hancock, representing that by running the north line of the Waldo Patent, part of their lots of land (which they purchased of the Commonwealth) has been found to be within the Waldo Patent, and praying they may have compensation therefor:

Resolved, For reasons set forth in said petitions, that there be allowed and paid out of the Treasury of this Commonwealth, to Daniel Whitney aforesaid, the sum of fifty five dollars and sixty-six cents, in full consideration for the loss of twenty-nine acres of land, taken from his lot, No. 147, in said Hampden; also that there be allowed and paid to Hezekiah Newcomb aforesaid, (assignee of Thomas Daggett) the sum of one hundred and forty-six dollars and seventeen cents, in full consideration for the loss of seventy six acres and twelve rods, taken from his lot, No. 148, in said Hampden; the sums of money hereby allowed are the amount which the Commonwealth has received, with compound interest included.

CHAP. XXXI.

Resolve on the petition of Samuel Kent, authorizing the executors of Samuel Gere to execute a deed to him.
12th June, 1815.

On the petition of Samuel Kent, of Granby, in the county of Hampshire, stating, that on the seventeenth day of August, 1808, he conveyed, by deed of warranty, to Isaac Gere, late of Northampton, in said county, deceased, a certain tract of land situate in Granby aforesaid, in the Crank lots, so called, being lots No. 50 and 51, bounded easterly by Belchertown line, and extending westerly from said line, including the whole width of said lots, so far as to contain fifty acres, and bounded northerly by Samuel Ingalls' heirs' land; southerly by lot No. 49, and westerly by land of said Kent: that said deed, though absolute, and no bond of defeazance was given, was intended by the parties merely to secure the payment of a sum of money, which the said Kent borrowed of said Gere, and which, on the 17th day of May, 1814, amounted only to two hundred and seventy-five dollars and seventy-five cents; that said land is of

much greater value than the amount now due ; and praying that Joseph Lyman, Esq. and Solomon Stoddard, jun. Esq. both of Northampton aforesaid, executors of the last will and testament of the said Isaac Gere, may be authorized to re-convey said land to said Kent, upon payment of the amount due from the said Kent to the said Gere, with the annual interest :

Resolved. For reasons set forth in said petition, that Joseph Lyman and Solomon Stoddard, jun. Esquires, executors of the last will and testament of Isaac Gere, late of Northampton, deceased, be, and they hereby are authorized and empowered to make and execute a deed of release to the said Samuel Kent of the tract of land above described, which deed shall have the effect of conveying all the right of which the said Gere died seized in said land, be, the said Kent, first paying to the said executors, the sum of two hundred and seventy-five dollars and seventy-five cents, with interest thereon from the 17th day of May, 1814.

CHAP. XXXII.

Resolve granting Elisha Douglass $180, *for expenses incurred by the loss of the use of the left arm, and a pension.* 12th June, 1815.

On the petition of Elisha Douglass, of the plantation of Lee, in the county of Hancock, for an allowance, in consequence of having lost the use of his left arm by two balls passing through his elbow, and also by a ball passing through his side in September last :

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, unto Elisha Douglass, the sum of one hundred and eighty dollars, in full for all his expenses ; and also a further sum of sixty dollars annually, as a pension, for four years from the third day of September, A. D. 1814 ; *provided* the said Douglass should live so long.

CHAP. XXXIII.

Resolve granting John Carlton, jun $60 *per annum, for two years, in consequence of being severely wounded.*
12th June, 1815.

On the petition of John Carlton, jun of Frankfort, for an allowance in consequence of having a ball shot through his thigh, while doing duty in the detached militia at Hamden, last autumn :

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, unto John Carlton, jun. a pension of sixty dollars per annum, for two years, should he live so long, to commence on the first day of October, 1814, in addition to the sum the said Carlton has already received from the Board of War.

CHAP. XXXIV.

Resolve allowing Josiah Bachelder further time for the payment of his balance due by him to the Commonwealth.
13th June, 1815.

On the petition of Josiah Bachelder, requesting further time to pay the balance due by him to the Commonwealth :

Resolved, For reasons set forth in said petition, that a further time of two years, from the fifth day of August next, be, and hereby is allowed to the said Josiah Bachelder, to complete the payment of the balance which may then be due from said Bachelder to the Commonwealth, on the obligations signed by him, dated the fifth day of August, 1809, with the interest thereon, any thing in the contract with the Commonwealth to the contrary notwithstanding.

CHAP. XXXV.

Resolve requiring the return of munitions of war, arms, &c. loaned to towns, individuals, &c. in the course of the late war. 13th June, 1815.

Whereas, in the course of the arrangements made for the defence of the sea-coast of the Commonwealth of Massachusetts, during the late war, several thousand muskets, (with accoutrements) and a large quantity of munitions of war, were delivered (from the Magazines belonging to the Commonwealth) to a number of towns and individuals, who became obligated to return the same when called for :

Therefore resolved, That all towns, plantations, military officers, and individuals, of every description, who have received, or who may now have in their possession, or under their control, any munitions of war, or muskets and accoutrements, delivered from the public Magazines aforesaid, be, and they hereby are required to return the same into the Quarter-Master-General's department, at Boston, within ninety days from this date :

Be it further resolved, That in case of failure, in making return of the arms and munitions aforesaid, or of accounting therefor in a satisfactory manner, the town, plantation, or individual, who may have any of the articles aforesaid, now under their care, or control, shall forfeit and pay, to the Treasurer of the Commonwealth, the sum of eighteen dollars for each and every musket and set of accoutrements, or fifteen dollars for the musket alone ; and also a reasonable sum for such of the munitions of war aforesaid, according to the just value, which may not be returned within ninety days from the date of this resolve, or otherwise satisfactorily accounted for ; and in order to facilitate the collection of the arms and munitions aforesaid.

Be it further resolved, That the Quarter-Master-General be, and he hereby is empowered and directed to pay all reasonable charges for transporting the articles aforesaid to the public buildings which are placed under his care.

CHAP. XXXVI.

Resolve for abating the tax on Falmouth, and adding the same to Westbrook. 13th June, 1815.

On the petition of the Selectmen and Assessors of the town of Falmouth,

Resolved, That for reasons set forth in said petition, there be, and hereby is abated, of the amount set to the town of Falmouth, in the county of Cumberland, in the tax act, passed March 2d, 1815, the sum of four hundred and thirty-two dollars, which was erroneously put to said town of Falmouth, instead of being put to the town of Westbrook, as its just proportion of the State tax, and Representatives' pay in the tax act aforesaid: And that the Treasurer of this Commonwealth be, and hereby is authorized and directed to issue his warrant, directed to the Assessors of the town of Westbrook, requiring and directing said Assessors to assess, upon the polls and estates within said town, the sum of four hundred and thirty-two dollars, agreeably to the provisions of said tax act, in addition to the sixty dollars for the assessment and collection of which a warrant has already issued.

CHAP. XXXVII.

Resolve making valid the doings, &c. of the towns of Lovell and Sweden. 13th June, 1815.

Upon the petition of John Wood and others, Agents of the Proprietors of the towns of Lovell and Sweden, in the county of Oxford, and Commonwealth of Massachusetts, setting forth, that several defects and omissions have happened and intervened in the records kept by said Proprietors, of their doings and proceedings relative to said towns, especially in the early part of said records; and praying that the Legislature would confirm and render the same valid in law:

Resolved, For reasons set forth in said petition, that the records of the doings and proceedings of said Proprietors,

of said towns of Lovell and Sweden, shall be held good and valid in law, although there is no record of oaths being administered to the Clerk, Collector of taxes, and other officers of said Proprietors in many instances : And although there appears in some instances to be no record of assessments, tax bills, warrants, and other instruments of said Proprietors, that said records shall be held valid and effectual in law, as though there had been a full and perfect record made of all the doings and proceedings of said Proprietors relative to said shid towns of Lovell and Sweden.

CHAP. XXXVIII.

Resolve providing for the purchase of land and the erection of a Public Arsenal. 13th June, 1815.

Resolved, That the Governor and Council be, and they hereby are authorized to cause to be selected, in the town of Boston, or its vicinity, a tract of land, not less than forty thousand square feet in extent, and as much larger as in their opinion may be necessary, for the purpose of erecting an Arsenal and Laboratory, and the same to be purchased, in case the same cannot be obtained upon other terms ; and for this purpose that they be authorized to make any sale or transfer of all the right of the Commonwealth to the land and buildings belonging to the present Arsenal and Laboratory at their discretion.

Be it further resolved, That the Governor and Council be, and hereby are authorized to cause a fire-proof Arsenal and Larboratory to be erected, of such dimensions as they may deem expedient, on the place selected and obtained, in pursuance of the authority herein before given ; and that the same be so constructed as to be separated from all other buildings whatsoever ; and the whole area obtained as before provided, to be inclosed with a brick wall of a suitable height ; and that for this purpose, the Governor be, and he hereby is authorized, by and with the advice of the Council, to draw his warrant upon the Treasurer of this Commonwealth, for any sum or sums, not exceeding ten thousand dollars ; and the Treasurer of this Commonwealth is hereby authorized and empowered to borrow from any Bank

or Banks in this Commonwealth, in the name and behalf of the Legislature, according to the provisions of their several acts of incorporation, and upon such terms and conditions as are therein specified, any sum not exceeding ten thousand dollars, for the purpose of discharging the warrants to be drawn in pursuance of this resolution.

CHAP. XXXIX.

Resolve granting a tax for the county of Cumberland.
14th June, 1815.

Whereas representation has been made to the Legislature by the Clerk of the Circuit Court of Common Pleas for the county of Cumberland, that the sum of three thousand dollars is necessary to be raised in said county the present year, towards building a new Court-House, and fire proof Buildings :

Therefore resolved, That the sum of three thousand dollars be, and the same is hereby granted as a tax for the said county the present year, to be apportioned and assessed, paid, collected and applied, for the purpose aforesaid, according to law.

CHAP. XL.

Resolve providing for the pay of the Page to the House.
14th June, 1815.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the Messenger, to be paid by him over to Joseph Francis, one dollar twenty-five cents per day, for each day he, the said Francis, shall have attended as Page to the present session of the General Court.

CHAP. XLI.

Resolve authorizing the Treasurer to borrow money.
14th June, 1815.

Resolved, That the Treasurer of this Commonwealth be, and he hereby is authorized and directed to borrow of the Banks in Boston, in addition to the sum now borrowed, any sum, not exceeding one hundred thousand dollars, that may, at any time, within the present year, be necessary for the payment of the ordinary demands made on the Treasury, and that he repay any sum he may borrow, as soon as money sufficient for that purpose, and not otherwise appropriated, shall be received into the Treasury.

CHAP. XLII.

Resolve on the petition of Hannah Chipman, jun. and others, of Sandwich, in the county of Barnstable.
14th June, 1815.

On the petition of Hannah Chipman, jun. of Sandwich, in the county of Barnstable, and Ebenezer Wing, Guardian to Thomas Chipman, Lucy Chipman, and Lydia Chipman, of the same Sandwich, being heirs of Hatsuld Chipman, deceased, and also heirs of Bethiah and Abigail Chipman, deceased, on the one part—and Phœbe Chipman, Executrix of the will of Stephen Skiff Chipman, of the said Sandwich, deceased, and Benjamin Chipman, of the same Sandwich, on the other part, stating, that the estate of the said Stephen Skiff Chipman, is possessed of a certain tract or parcel of land, adjoining the homestead of the above named heirs of Hatsuld Chipman, deceased ; and that the said Benjamin Chipman is tenant in common with the said heirs, of one other tract or parcel of land adjoining the same homestead ; also that said heirs of Hatsuld Chipman, deceased, and of Bethiah and Abigail Chipman, also deceased, are possessed of a certain tract or parcel of land, adjoining the real estate of the said Stephen Skiff Chipman, deceased, and also adjoining the land of the said Benjamin Chipman, it is

the interest of both parties, that the said lands should be reciprocally exchanged at their value: The petitioners therefore pray, that Ebenezer Nye, Samuel Wing and Gideon Wing, or such other persons as the General Court may see fit to name, be appointed to survey and appraise the said lands, severally, and that the petitioners may be empowered to execute deeds of quitclaim reciprocally of the same;

Therefore resolved, That the said Ebenezer Nye, Samuel Wing and Gideon Wing, being first sworn to a faithful discharge of the duties imposed upon them by this resolve, are hereby appointed to survey and appraise the said lands aforesaid, severally at their true value.

And be it further resolved, That when said lands shall be appraised as aforesaid, the said Hannah Chipman, jun. in her own right, and the said Ebenezer Wing, as Guardian to Thomas Chipman, Lucy Chipman and Lydia Chipman, on the one part—and the said Phœbe Chipman, Executrix to the last will of Stephen Skiff Chipman, deceased, and Benjamin Chipman on the other part, may reciprocally exchange the lands aforesaid; and are hereby empowered to execute deeds of quitclaim reciprocally of the same, and that the said deeds, when duly executed and recorded, be valid and sufficient according to law; so that the heirs of Hatsuld Chipman, deceased, may be owners of the lands adjoining their homestead; and that the estate of Stephen Skiff Chipman, deceased, and the said Benjamin Chipman be tenants in common of the lands adjoining theirs: *Provided nevertheless*, That, if upon the survey and appraisal aforesaid, it shall appear that the estate belonging to the heirs of the said Hatsuld Chipman, deceased, is of greater value than the estate which will be conveyed to them upon the exchange aforesaid, the said Ebenezer Wing, Guardian to the said Thomas, Lucy and Lydia Chipman, before the execution of the deed herein authorized, shall give bonds to the Judge of Probate for the county of Barnstable, in such sum and with such sureties as he shall require, with condition that the money which he may receive by virtue of said exchange, shall be put upon interest for the benefit of said minors.

CHAP. XLIII.

Resolve authorizing the Selectmen of the town of Portland to sell School-House lands, &c. 14th June, 1815.

On the petition of the Selectmen of the town of Portland, praying in behalf of said town, for leave to sell the land belonging to said town, on which the north School-House, so called, now stands, and apply the proceeds in erecting a new School-House on another lot of land belonging to the town, in a more eligible situation :

Resolved That the Selectmen of the town of Portland, be, and they hereby are authorized to sell and convey by deed, in fee simple, the lot of land on which the north School-House now stands, as described in said petition, situated in the town of Portland, and appropriate the proceeds of the sale in erecting a new School-House in the north part of said town.

CHAP. XLIV.

Resolve providing that no process issue against the inhabitants of Orrington, for arms, &c. loaned. 14th June, 1815.

On the petitition of the Selectmen of the town of Orrington, praying indemnity for the loss of arms and accoutrements loaned to Warren Ware :

Resolved, For reasons set forth in said petition, that no compulsory process shall issue against the inhabitants of said town of Orrington, for the recovery of the twenty-five stands of arms and accoutrements loaned to Warren Ware, in behalf of the Selectmen of said town, and for the use of the inhabitants thereof, by the Committee of sea-coast defence, until a special order of the Legislature shall be passed for that purpose.

CHAP. XLV.

Resolve authorizing the Selectmen of Hampden, to retain arms, &c. loaned, for five years. 14th June, 1815.

On the petition of Joseph Brazier and others, inhabitants of the town of Hampden ;

Resolved, That the Selectmen of Hampden be authorized to retain the forty stands of fire arms, with their accoutrements, loaned for the use of the inhabitants of said town by the Committee for sea-coast defence, for the term of five years : said inhabitants of Hampden in their corporate capacity, being holden to return said arms to the department of government, or authorized agents, then having charge of said arms, or pay the value thereof into the Treasury of this Commonwealth.—And it shall be the duty of the Selectmen of said town, for the time being, to supply such of the inhabitants of said town, as they shall judge least able to furnish themselves with arms and accoutrements, with the use of said arms and accoutrements, for the performance of military duty only.

CHAP. XLVI.

Resolve directing the Secretary to have Jenkins' Art of Writing bound. 14th June, 1815.

Whereas a resolve, directing the way and manner in which the Secretary of the Commonwealth should distribute the copies of Jenkins' Art of Writing, the property of the said Commonwealth, and now lodged in his said Secretary's office, passed on the tenth day of the present month of June ; and whereas the said Secretary has certified that the said Art of Writing is in sheets, and that it would be difficult to deliver the work in that state ;

Therefore be it further resolved, That the said Secretary cause all and each of the said copies to be substantially bound in boards before delivering the same, and as soon as conveniently may be, unless any member shall prefer receiving his copy of said work in sheets ; *provided* the same can be so bound at an expense not exceeding six cents and one quarter per copy.

CHAP. XLVII.

Resolve granting Thomas Walcutt $66, *for services.*
14th June, 1815.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth to Thomas Walcutt, a Clerk in the lobbies, for the assistance of the Members of the Legislature, the sum of sixty-six dollars, in full for all his services up to the adjournment of the last Legislature.

CHAP. XLVIII.

Resolve relinquishing to the Society for propagating the gospel in foreign parts, certain lands in Princetown.
14th June, 1815.

The Committee appointed on the petition of Thomas Dawes and others, in behalf of the "Society for propagating the gospel in foreign parts:"

REPORT, That from the best evidence, which it is in their power to procure, there are certain small parcels of land in Princetown, in the county of Worcester, which formerly belonged to the "Society for propagating the gospel among the Indians and others in North America," which Society, previous to the treaty of peace, ratified in 1783, was established in England, but whose interest in this country were under the management of certain Commissioners appointed by them. Since that period the purposes of said Society have been discontinued, and a new Society established embracing the same objects, and composed of some of those, who were Commissioners of the former Society; the lands referred to, are two thirds of a lot Letter M. containing one hundred and fifty-eight acres: Division Number one in Poutwater Meadow, containing three acres eighty rods, and a lot containing thirty-four acres and one hundred and thirty rods, and lot number eleven, containing ninety rods. This Legislature, by a resolve of July 2d, 1781, acknowledged the right of said Society in England to said lands, and exempted them from taxation; said

lands have been from year to year wasted by divers trespassers who have entered on them without right or claim. Your Committee, conceiving that the first mentioned Society is dissolved, believe that said lands have in consequence escheated or reverted to the Commonwealth, though it appears no inquisition has been had on this subject: But as it is just that the said property should still be appropriated to the same benevolent and pious objects as formerly, which the Committee think would be accomplished under the superintendance of the "Society for propagating the gospel in foreign parts;"

They, therefore report, That they think it expedient that the prayer of the petitioners be granted, and recommend that for that purpose, a resolve be passed of the following tenor, to wit:

ANDREW RITCHIE, *per order.*

Resolved, That any claim or right which is vested in this Commonwealth by escheat or otherwise, regarding certain parcels of land in Princetown, in the county of Worcester, which formerly belonged to the "Society for propagating the gospel among the Indians and others in North America," be, and the same hereby is granted and transferred to the Society for propagating the gospel in foreign parts, "and their successors and assigns forever."

CHAP. XLIX.

Resolve authorizing the Administrator on estate of Josiah Hill to execute a deed to Wiggins Hill of certain estate.
14th June, 1815.

Whereas, by a resolve passed the General Court on the 9th day of June, A. D. 1813, on the petition of Wiggins Hill, of a place called Kenduskeag, in the county of Hancock, the Administrator on Josiah Hill's estate was authorized to convey to said Wiggins Hill, certain lands therein described, but in consequence of an error in the description of said land, the good intended to the petitioner by said resolve could not be carried into effect.

Therefore resolved, That the Administrator on the estate of said Josiah Hill be, and he hereby is authorized to convey by deed to said Wiggins Hill, all the right, title and interest which the said Josiah Hill had, by virtue of the levy of an execution, in and unto a certain piece of land, situated in township number five, in the seventh range of townships north of the Waldo Patent; beginning at the south west corner of lot number two, in the first range of lots in said township; thence north seventy rods to a stake; thence east sixty-four rods to a birch tree; thence south seventy rods to a hemlock standing in the town line; thence west sixty-four rods to the first mentioned bounds, agreeably to the true intent and meaning of the aforesaid resolve, any thing therein contained to the contrary notwithstanding.

CHAP. L.

Resolve respecting the Nantucket Court of Sessions. 14th June, 1815.

Resolved, That a Court of Sessions be holden at Nantucket, within and for the county of Nantucket, by the Justices of said Court, on the third Tuesday of July next, and that all applications to be made to said Court, may be made after the passing of this resolve, to the Court of Sessions to be holden as aforesaid, and all applications, matters and things now pending in said Court of Sessions, may be heard and determined at the July term of said Court, or at the next succeeding term thereof.

CHAP. LI.

Resolve establishing the pay of the Clerks in Secretary's, Treasurer's, Adjutant-General's and Quarter-Master-General's Offices. 14th June, 1815.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the first Clerk in the Secretary's Office, also to the first Clerk in the Treasurer's Office, also to the first Clerk in the Adjutant-General's Of-

fice, fourteen hundred dollars each, in full compensation for their services for one year from the first day of this current month of June; and likewise to each of the other Clerks in said Secretary's, Treasurer's, Adjutant-General's Offices, and also the Clerk in the Office of the Quarter-Master-General, three dollars and eighty-four cents per day, for each and every day they are respectively employed therein, for one year commencing the said first day of June current.

CHAP. LII.

Resolve for abating the tax on the town of Dighton, and adding the same to the town of Wellington.
14th June, 1815.

Whereas in the apportionment of the late State tax on the several towns in this Commonwealth, that part of said tax which ought to have been set to the towns of Dighton and Wellington, in the county of Bristol, was put wholly to the town of Dighton, from which the said town of Wellington was taken, and the Legislature has, by a resolve for that purpose, abated the sum of one hundred and thirty-three dollars and thirty-three cents to the said town of Dighton, which said sum ought to have been put to the said town of Wellington in said tax act;

Resolved, therefore, That the said sum be set to the said town of Wellington; and the Treasurer of the Commonwealth is hereby authorized and directed to issue his warrant to the Assessors of said town of Wellington, requiring them to assess said sum on the polls and estates in said town; and the said Assessors are hereby authorized and directed to assess the same accordingly, and commit a list or lists of such assessment to the Collector or Collectors of said town, with a warrant or warrants to collect and pay the same into the Treasury of this Commonwealth accordingly; and the said Collector or Collectors are authorized and directed to collect and pay the same accordingly.

CHAP. LIII.

Resolve granting a tax to the counties of Plymouth and Dukes' County. 14th June, 1815.

Whereas the Treasurers of the following counties have laid their accounts before the Legislature for examination, which accounts have been examined and allowed; and whereas the Clerks of the Circuit Courts of Common Pleas for said counties, have exhibited estimates, made by said Courts, of the necessary charges which may arise within the said counties the year ensuing, and of the sums necessary to discharge the debts of the said counties:

Resolved, That the sums annexed to the counties contained in the following schedule be, and the same are hereby granted as a tax for each county respectively, to be apportioned, assessed, paid, collected, and applied for the purposes aforesaid, according to law:—

County of Plymouth, the sum of three thousand nine hundred and eighty-nine dollars and forty one cents, 3989 41

County of Dukes' County, eight hundred dollars, 800 00

CHAP. LIV.

Resolve establishing the pay of the Lieutenant-Governor, Secretary and Treasurer of the Commonwealth. 14th June, 1815.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to his Honor the Lieutenant-Governor thereof, the sum of five hundred and thirty-three dollars and thirty-three cents, in full for his salary for one year from the thirty-first day of May last past.

Also to Alden Bradford, Esq. Secretary of this Commonwealth, the sum of two thousand dollars, as and for his salary for one year from the sixth day of June instant, he the said Secretary to be accountable, at the end of said year, for all the fees of office he shall have received.

And likewise to John Trecothick Apthorp, Esq. Treasurer and Receiver-General of the said Commonwealth, the

sum of two thousand dollars, as and for his salary for one year from the sixth day of June current; and that all the aforesaid salaries be paid quarterly as they shall become due.

CHAP. LV.

Resolve for the pay of Jacob Kuhn, Messenger, $350. 14th June, 1815.

Resolved, That there be allowed and paid out of the public Treasury, to Jacob Kuhn, three hundred and fifty dollars, for the present year, commencing the thirtieth day of May last, to be in addition to the sum of four hundred dollars allowed him by a resolve of March 26th, 1793, establishing the pay of the Messenger of the General Court.

CHAP. LVI.

Resolve granting to Jacob Kuhn, Messenger to the General Court, $1000, *for the purchase of fuel, &c. for the government.* 14th June, 1815.

Resolved, That there be paid out of the Treasury of this Commonwealth, to Jacob Kuhn, Messenger of the General Court, the sum of one thousand dollars, to enable him to purchase fuel, and such other articles as may be necessary for the use of the General Court, together with the Governor and Council Chamber, the Secretary's, Treasurer's, Adjutant-General's and Quarter-Master-General's Offices, he to be accountable for the expenditure of the same.

CHAP. LVII.

Resolve establishing the pay of Jonathan G. Barnard, Clerk in the Treasurer's Office. 15th June, 1815.

On the petition of Jonathan G. Barnard, Clerk in the

Treasurer's Office, praying for allowance for extra services, and that his salary may be the same as the other Clerk in the Office :

Resolved, That there be allowed and paid to Jonathan G. Barnard Clerk in the Treasury Office, the sum of fourteen hundred dollars per annum, in quarterly payments, from the first day of the present month, in full compensation for his services ; and his Excellency the Governor, with the advice of Council, is requested to draw his warrant on the Treasurer for the same.

CHAP. LVIII.

Resolve providing for the pay of John Low, jun. assistant Messenger. 15th June, 1815.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to John Low, jun. assistant Messenger of the House of Representatives, forty dollars for his services, in that capacity, during the present session of the General Court.

CHAP. LIX.

Resolve granting John T. Apthorp, Esq. $500. 15th June, 1815.

On the petition of John T. Apthorp, Esq. Treasurer of the Commonwealth, praying that he may be allowed for extra services in the duties of his office :

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to John T. Apthorp, Esq. the sum of five hundred dollars, in full compensation for the extra services performed by him as Treasurer for two years past, in consequence of the business of the office being very greatly increased by the late war ; and his Excellency the Governor, with the advice of Council, is requested to draw his warrant on the Treasurer for the same.

CHAP. LX.

Governor's Message. 15th June, 1815.

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

The Secretary will lay before you a letter addressed to the Governor and Council, by the Board of War, representing, that the service of some authorized agent will be necessary for a few days to complete the views of government, as understood by the law which was passed at the last session of the General Court, to provide for the appointment of a Board of War; the authority and duties of which Board will cease at the end of the present session of the Legislature.

CHAP. LXI.

Resolve for compensating the Committee on accounts. 15th June, 1815.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the Committee appointed to examine and pass on accounts, presented against this Commonwealth, for their attendance on that service during the present session, the sums annexed to their names respectively, in addition to their pay as Members of the Legislature :—

Hon. Silas Holman, twelve days, twelve dollars.
Hon. Jacob Abbot, twelve days, twelve dollars.
Daniel Howard, twelve days, twelve dollars.
James Robinson, twelve days, twelve dollars.
Alford Richardson, twelve days, twelve dollars.

CHAP. LXII.

Resolve authorizing Lucy Sayles to convey certain real estate to Elisha Sayles. 15th June, 1815.

On the petition of Elisha Sayles, stating that he sold and conveyed to his son, Ariel Sayles, one undivided half of his farm and buildings, situate in Wrentham, in the county of Norfolk, and received in payment said Ariel's promissory notes for three thousand dollars; and that afterwards he agreed with his said son to re-purchase the same estate and deliver up said notes in payment; and that in pursuance of that agreement, he delivered up said notes; but his said son died without completing his conveyance, and praying that Lucy Sayles, Administratrix of the estate of said Ariel, may be authorized to make the conveyance;

Resolved, That the said Lucy Sayles, Administratrix of the estate of said Ariel, be, and she is hereby authorized to convey to the said Elisha Sayles, the said undivided half of the said farm and buildings; and that the said conveyance shall have the same force and effect as if it had been made by the said Ariel in his life time in pursuance of his said contract.

CHAP. LXIII.

Resolve authorizing Lucy Sayles to convey certain real estate to James Richardson. 15th June, 1815.

On the petition of James Richardson, stating that he contracted to purchase of Ariel Sayles, a tract of land in Wrentham, in the county of Norfolk, and that said Ariel died before he had executed a deed of conveyance of the same, and praying that his Administratrix may be authorized to make and execute a conveyance of the same land;

Resolved, That Lucy Sayles, Administratrix of the estate of said Ariel Sayles, be, and she is hereby authorized to convey, by a good and lawful deed, to the said James Richardson, the tract of land described in a memorandum, signed by the said Ariel Sayles, and referred to in the pe-

tition of the said Richardson ; and that such deed of conveyance shall have the same force and effect as if made by the said Ariel in his life time in pursuance of his said contract.

CHAP. LXIV.

Resolve providing for the pay of the Clerks of the two Houses. 15th June, 1815.

Resolved, That there be allowed and paid out of the Treasury, to Samuel F. McCleary, Clerk of the Senate, and Benjamin Pollard, Clerk of the House of Representatives, two hundred dollars each ; and also to Robert C. Vose, assistant Clerk of the Senate, one hundred and twenty-five dollars, in full for their services in said offices, the present session of the General Court.

CHAP. LXV.

Resolve appointing Hon. Edward H. Robbins to close the accounts of the Board of War. 15th June, 1815.

Resolved, That the Honorable Edward H. Robbins be, and he hereby is authorized and empowered to complete and close the accounts of this Commonwealth against the United States, now in the office of the Board of War, and file the same in the Secretary's office, on or before the fifteenth day of July next ; and for that purpose to employ the Secretary and Clerks now in that office, until said fifteenth day of July, if in his opinion their services will be so long necessary, and to make said Secretary and Clerks a reasonable compensation for their services.

CHAP. LXVI.

Resolve allowing Samuel A. Bradley $65, *for his travel and attendance at Court.* 15th June, 1815.

Resolved, That there be allowed and paid out of the Trea-

sury of this Commonwealth, to Samuel A. Bradley, Esq. Member of the House of Representatives from the town of Fryeburgh, thirty three dollars for his travel, and thirty-two dollars for his attendance, in full, at the present session of the General Court, and that said last mentioned sum be set to the town of Fryeburgh in the next State tax bill.

CHAP. LXVII.

Resolve allowing pay to Warren Chase, Henry Bacon and Lewis Low, Assistants to the Messenger of the General Court. 15th June, 1815.

Resolved, That there be allowed and paid out of the public Treasury of this Commonwealth, to Warren Chase, Henry Bacon and Lewis Low, Assistants to the Messenger of the General Court, fifty cents per day each, during the present session of the Legislature, in addition to the usual allowance of two dollars per day.

CHAP. LXVIII.

Resolve allowing pay to Theron Metcalf, Esq. Reporter of Contested Elections. 15th June, 1815.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Theron Metcalf, Esq. Reporter of Contested Elections, the sum of one hundred and twenty-five dollars, for his services during the present session of the Legislature, and all other services not heretofore paid for.

CHAP. LXIX.

Resolve allowing pay to Thomas Walcutt. 15th June, 1815.

Resolved, That there be allowed and paid out of the public Treasury, to Thomas Walcutt, a Clerk in the Lobbies,

for the assistance of the Members of the Legislature, one hundred dollars, in full for his services during the present session of the General Court.

CHAP. LXX.

Resolve, for relief of John Chamberlain, junior.
15th June, 1815.

Resolved, That the Keeper of the Gaol in Lenox, in the county of Berkshire, is hereby authorized and directed to set at liberty John Chamberlain, junior, of Dalton, in the county of Berkshire, who stands committed at said Gaol, on a warrant of distress in favor of the Commonwealth, if he shall request it, and if he be committed for no other cause, in case the said John Chamberlain, junior shall give bond to the Commonwealth, in the same sum and sureties, and approved in the same manner he would be required to do, were he to be admitted to the liberties of said Gaol, on said matter; conditioned that he, the said John Chamberlain, junior shall surrender himself to the Keeper of the Gaol in Lenox, in the county of Berkshire, aforesaid, on or before the first day of March next, and remain a true prisoner on the original commitment, as if he had not been set at liberty by virtue of this resolve, unless the said John Chamberlain, junior shall be otherwise legally discharged.

And be it further resolved, That the Keeper of the said Gaol in the county of Berkshire, is hereby directed to receive the said John Chamberlain, junior, into his custody, upon his surrendering himself as aforesaid, and conduct with him in the same way as he would do, if he were then committed by the proper officer, on the warrant of distress aforesaid.

CHAP. LXXI.

Resolve for the appointment of Commissioners, to receive applications from the late Treasurer Skinner's bondsmen for discharge, &c. 15th June, 1815.

On the petition of Simeon Griswold and others, sureties

of the late Treasurer, Thompson J. Skinner, praying to be discharged from further liability on a judgment recovered against them, in favor of the Commonwealth, on their bond:

Resolved, That his Excellency the Governor, with the advice and consent of Council, be, and he is hereby requested to appoint two or more persons as Commissioners, who shall be authorized to receive applications from any, or all of the bondsmen of the late Treasurer Skinner, for a discharge from their liability on account of said bond; and said Commissioners, when so appointed, shall, at the cost and expense of such applicants, examine the said applicants, under oath, or otherwise, as to the property which they now possess, or to which they are in any way or manner entitled, and as to any conveyance or other disposition of property made by them, or either of them, since the default of said Skinner was ascertained, and to report to this Legislature such facts as they may deem material, and their opinions upon what terms and conditions the said persons, or either of them, shall be discharged from the demands of the Commonwealth, with powers to send for persons and papers.

Be it further resolved, That the bodies of said bondsmen shall not be arrested on the said demand of said Commonwealth, until the first day of March next.

CHAP. LXXII.

Resolve respecting the care of the Forts, recently erected by the Commonwealth of Massachusetts. 15th June, 1815.

Resolved, That the Quarter-Master General be, and he hereby is authorized and directed to employ some suitable person or persons to take care of, and prevent injury to the Forts, recently erected by this Commonwealth, in Boston and its vicinity, at Portland, and elsewhere; and, that he be further authorized and directed to adopt such measures as may be necessary, to repair such injuries as may already have happened to the Forts aforesaid, and to the Barracks and other Buildings connected with the same.

CHAP. LXXIII.

Resolve for the payment of Ward Locke, Assistant to the Messenger of the Governor and Council. 15th June, 1815.

Resolved, That there be allowed and paid out of the public Treasury of this Commonwealth, to Ward Locke, the sum of two dollars and fifty cents for each and every day he may have been employed as Assistant to the Messenger of the Governor and Council, the present session of the General Court.

ROLL No. 73....June, 1815.

THE Committee on Accounts having examined the several accounts they now present,

REPORT, That there are now due to the Corporations, and persons hereafter mentioned, the sums set to their names respectively, which, when allowed and paid, will be in full discharge of the said accounts to the several dates therein mentioned, which is respectfully submitted.

SILAS HOLMAN, *per order.*

PAUPER ACCOUNTS.

Adams, for board and clothing sundry paupers, to 22d May, 1815,	101 19
Alford, for board, clothing and doctoring the family of Oliver Spaulding, until they left the town, January, 1815,	113 55
Andover, for board and clothing sundry paupers, to 11th February, 1815,	171 52
Augusta, for board, clothing, doctoring and nursing sundry paupers, to 24th May, 1815,	70 55
Belgrade, for board, clothing, doctoring and nursing Abigail Odin, to 7th May, 1815,	34 78
Blanford, for boarding and clothing Samuel Walker, to 1st February, 1815,	75 00
Becket, for board, clothing, doctoring and nursing sundry paupers, to 22d May, 1815,	85 68
Bellingham, for board and clothing Nathan Freeman and wife, to 1st May, 1815,	83 00
Bristol, for board and clothing William How, to 1st May, 1815,	67 20
Belchertown, for board, clothing and doctoring John Stoughton, Melinda Tatson and Margaret Jewet, to 30th May, 1815,	60 90
Bradford, for board and clothing Joshua L. Alsters, to 5th June, 1815,	36 50
Brookfield, for board of Jonas Benton, to 2d May, 1815, and George Mandel till his death, and funeral charges,	48 36

Barre, for error in account passed January sessions, 1815,	35 00
Bradford, Samuel, keeper of the gaol, county of Suffolk, for support of poor prisoners confined for debt, to 31st May, 1815,	233 13
Beverly, for board and clothing sundry paupers, to 1st June, 1815,	311 81
Boxborough, for board and clothing John McCoy, to 22d May, 1815,	65 10
Boston, for board and clothing sundry paupers, to 1st June, 1815,	7532 84
Carlisle, for board and clothing Robert Barber, to 28th 1815,	25 51
Colrain, for board and clothing sundry paupers, to 25th May, 1815,	72 33
Chesterfield, for board and clothing Adam Hamilton, Rachel Polly and daughter, to 21st May, 1815,	68 01
Conway, for board and nursing Henry Simiman, till his death, and funeral charges,	22 67
Chester, for board of Daniel Slad and wife, to 23d April, 1815, and Lemuel Culver, to 21st February, 1815,	90 07
Cheshire, for board and clothing sundry paupers, to 23d May, 1815,	246 88
Cape Elizabeth, for board and clothing James Ramsbottom, to 21st May, 1815,	31 50
Camden, for board and clothing John Bloom, to 7th June, 1815,	30 50
Charlestown, for board and clothing sundry paupers, to 10th June, 1815,	87 43
Concord, for board of George Black, to 1st April, 1815,	19 86
Durham, for board, clothing and doctoring sundry paupers, to 1st June, 1815,	351 50
Danvers, for board and clothing sundry paupers, to 6th June, 1815,	526 72
Dartmouth, for board and clothing John Quaniville, to 20th May, 1815,	64 53
Dedham, for board, clothing and doctoring sundry paupers, to 16th February, 1815,	53 62
Elliot, for board and clothing Jacob Brewer and Abigail Randall, to 30th May, 1815,	43 70

Edgartown, for board and clothing Anthony Chadwick, to 17th May, 1815,	91 01
Friendship, for board of Martha Bigmore, to 3d June, 1815,	20 90
Franklin, for board, clothing and nursing Thomas Bare, to 2d June, 1815,	35 21
Grandby, for board to Ebenezer Darwin, to 19th May, 1815,	32 92
Gill, for board and clothing Sarah Hamilton, to 27th 1815,	65 96
Granville, for board and clothing George Taylor, and Archibald Stewart, to 1st June, 1815,	46 06
Greenwich, for board, clothing and doctoring sundry paupers, to 25th May, 1815,	190 90
Gloucester, for board and clothing sundry paupers, to 10th May, 1815,	1114 00
Hancock, for board and clothing sundry paupers, to 1st June, 1815,	118 39
Hardwick, for board and clothing Hannah Morgan, to 1st June, 1815,	84 64
Hodgkins, Joseph, for board and clothing sundry insane persons in the house of correction, and allowance as keeper of said house by Court of Sessions,	333 30
Kingston, for supplies to Eliza Kenny and two children, to May 26th, 1815,	20 34
Lincolnville, for board and clothing sundry paupers, to 24th May, 1815,	72 37
Leyden, for board, clothing and doctoring sundry paupers, to 20th May, 1815,	47 45
Lenox, for board and clothing sundry paupers, to 25th May, 1815,	95 38
Limington, for board and clothing John Orian, to 31st December, 1814,	67 20
Lee, for board and clothing sundry paupers, to 25th May, 1815,	156 09
Levant, for board and supplies to Lawrence Hook, to 16th May, 1815,	51 75
Lanesborough, for board and clothing sundry paupers, to 1st June, 1815,	80 45
Montague, for board, clothing and nursing Joshua Searl, to 18th May, 1815,	57 50

Merrill, John, for doctoring sundry prisoners confined in gaol for criminal offences, to January, 1815,	94 00
Machias, for board and clothing Anthony Piper and Moses Wheaton, to 1st June, 1815,	49 50
Marshfield, for board, clothing and nursing Phillis Mitchell, to 23d May, 1815, till the time of her death,	65 08
Marblehead, for board and clothing sundry paupers, to 6th June, 1815,	120 70
Norwich, for board and clothing Daniel Williams, to 29th May, 1815,	19 80
Northfield, for board of Amos Riley, to 25th May, 1815,	17 25
New-Salem, for board and clothing Philip Hoven, to 3d April, 1815,	45 23
Northampton, for board, clothing and doctoring sundry paupers, to 22d May, 1815,	211 21
New-Ashford, for board and nursing Elisha and Rebecca Mosher, to 1st May, 1815,	75 00
Newburyport, for board and clothing sundry paupers, to 1st June, 1815,	1645 53
Newbury, for board and clothing sundry paupers, to 1st June, 1815,	1200 72
Newry, for board and clothing William Burk, to 10th May, 1815,	22 63
Peru, for board of James and Olive Robbins, to 25th May, 1815,	36 15
Pepperell, for board, clothing and nursing Robert B. Minchin, to 23d May, 1815,	44 18
Pittsfield, for board, clothing and doctoring sundry paupers, to 1st June, 1815,	250 75
Plymouth, for board, clothing and doctoring sundry paupers, to 4th June, 1815,	297 96
Portland, for board and clothing sundry paupers, to 1st June, 1815,	1079 73
Rutland, for board and clothing William Henderson, to 1st June, 1815,	27 82
Rowe, for board and clothing Betsy Carpenter, to 15th May, 1815,	26 00
Rowley, for board and clothing Benning Dow and Ella Collins, to 28th May, 1815,	75 43

Roxbury, for board and clothing sundry persons, to 3d June, 1815,	227 40
Swansey, for board and clothing James Garnet and Garret Berns, to 27th May, 1815,	45 00
Sharon, for board and clothing Elizabeth Ellis, to 24th August, 1815,	28 01
Somerset, for board and clothing William Elliot, to 1st January, 1815,	25 78
Sutton, for board and clothing Isabella Santee's children, to 4th June, 1815,	68 84
Sandisfield, for board of Richard Dixon and wife, to 1st June, 1815,	23 39
South Berwick, for board and clothing Lemuel Wood, to 29th May, 1815,	22 60
Sandwich, for board, clothing and doctoring Richard Crouch and Rebecah Simonds, to 7th June, 1815,	120 41
Salisbury, for board and clothing Mary Curtis, to 3d June, 1815,	40 55
Springfield, for support of sundry paupers, to 17th May, 1815,	96 89
Tisbury, for board, doctoring and nursing John Watson, till he left the town, 7th January, 1814,	36 20
Upton, for board and clothing Roswell Farrar and E. G. Farrar, to 1st May, 1815,	43 92
Uxbridge, for board of sundry paupers, to 23d May, 1815,	63 65
Vassalborough, for board, doctoring and nursing Abigail Fairbrother and Gustavus Fellows, to 16th May, 1815,	66 32
Windsor, for board, clothing and doctoring Henry Smith, and wife, to 24th May, 1815,	71 80
Walpole, for board, doctoring and nursing Elizabeth Ellis, to 1st June, 1815,	44 30
Wrentham, for board, doctoring and nursing Daniel Fitzgerald, to 27th May, 1815,	36 00
Westfield, for board and clothing John Newton and wife, and Theodotia Gillet, to 31st May, 1815, and Samuel Gibson, till his death,	113 40
Washington, for board and clothing Richard Rigby, to 22d May, 1815,	19 33
Western, for board and clothing Eliza Trim, to 26th May, 1815,	53 95

Westbrook, for board of James Burnes, to 23d May, 1815,	62	70
Waldoborough, for board, clothing and nursing Phillip and John Handell, to 6th June, 1815,	200	00
Wilbraham, for board, nursing and doctoring Gideon Lewis, till he left the town, March, 1815,	50	55
Westhampton, for board of John Gay and wife, to 3d June, 1815,	52	50
Worcester, for board and clothing sundry paupers, to 1st June, 1815,	137	55
West Springfield, for board, clothing and doctoring sundry paupers, to 18th May, 1815, and James Aldrich, till he left the town,	85	95
Williamstown, for board and clothing sundry paupers, to 1st June, 1815,	75	14
York, for board and clothing sundry paupers, to 1st June, 1815,	209	95
Yarmouth, for board and nursing Nancy Weaver, till 5th October, 1814, when she left the town,	17	43
Total Paupers,	21,186	94

MILITARY ACCOUNTS.

Courts Martial and Courts of Inquiry.

Howard, Samuel, for the expense of a Court Martial, held at Hallowell, January, 1815, whereof Colonel David McGaffy was President,	372	71
Howard, Samuel, for the expense of a Court Martial, held at Augusta, March, 1815, whereof Colonel James Waugh was President,	278	68
Fogg, Simon, for the expense of a Court Martial, held at Alfred, July, 1814, whereof Colonel John Mitchel was President,	214	69
	866	08

Brigade-Majors and Aids-de-Camp.

Burbank, Gardner, to 3d November, 1814,	50	20
Blake, James, to 1st October, 1814,	101	60

Blish, Joseph, jun. to 28th December, 1814,	81 73
Clap, Ebenezer, to 19th June, 1814,	83 48
Dunbar, William, to 1st April, 1815,	76 10
Dutch, Ebenezer, to 26th May, 1815,	123 84
Dewey, Charles, to 7th October, 1814,	51 22
Fogg, Simon, to 1st December, 1814,	50 75
Fales, Samuel C. to 1st October, 1814,	83 95
Hayward, Nathan, to 7th February, 1815,	162 00
Goodwin, Marston J. to 27th April, 1815,	116 73
Hubbel, Calvin. to 17th January, 1815,	49 49
Hoyt, Epaphras, to 1st January, 1815,	57 11
Hight, William, to 1st December, 1814,	84 20
Mattoon, Noah D to 24th January, 1815,	31 43
Newton, Rejoice, to 10th December, 1814,	33 55
Osgood, Joshua B. to 1st January, 1815,	39 70
Osgood, Francis, to 4th January, 1815,	50 45
Pope, Thomas, 5th Division, to 29th May, 1815,	60 77
Pope, Thomas, to 16th October, 1814,	56 50
Russell, Edward, to 15th April, 1815,	112 69
Starr, James, jun. to 19th December, 1814,	80 50
Sawtell, Richard, to 16th January, 1815,	69 73
Thayer, Minot, to 15th October, 1814,	49 05
Verunm, Benjamin. to 12th August, 1814,	25 20
Wingate, Joseph, F. to 7th February, 1815,	80 00
Woods, Sampson, to 6th January, 1815.	87 00
Whiting, Timothy, P. to 1st October, 1814,	138 50
	2090 47

Brigade Quarter-Masters.

Brastow, Samuel, to 1st October, 1814,	15 60

Adjutants.

Allen, Samuel, jun. to 1st November, 1814,	22 07
Avery, Joshua, to 30th January, 1815,	124 32
Ames, George, to 5th October, 1814,	30 78
Adams, Charles, to 15th September, 1814,	35 47
Bradley, Enoch, jun. to 20th January, 1815,	24 10
Bliss, John, to 10th January, 1815,	37 54
Bosworth, Sherman, to 17th May, 1815,	28 91

Bigelow, Tyler, to 30th January, 1815,	95 57
Bordurtha, Harvey, to 5th December, 1814,	19 62
Bradbury, William, to 15th April, 1815,	11 23
Burnham, Thomas, to 19th November, 1814,	42 44
Bancroft, William, to 21st September, 1814,	43 97
Brewer, Daniel, C. to 24th November, 1814,	52 91
Backus, Zenas, to 10th December, 1814,	77 11
Boyd, William, to 6th June, 1815,	71 56
Cushing, Ned, to 3d June, 1815,	87 78
Curtis, Joseph to 2d December, 1814,	24 31
Clark, Samuel, to 6th February, 1815,	92 22
Colman, Daniel, to 13th December, 1814,	33 58
Cutts, William, to 15th January, 1815,	15 88
Clark, Joseph, to 29th November, 1814,	72 03
Couch, Daniel, to 31st May, 1815,	14 23
Carleton, William, to 24th October, 1814,	34 14
Chase, Thomas, L. to 27th April, 1815,	19 25
Chase, James, to 21st November, 1814,	10 95
Cobb, Charles, to 1st October, 1814,	30 13
Carter, Willis, to 24th December, 1814,	23 65
Chamberlain, William, B. to 15th May, 1815,	8 64
Champney, John, to 31st May, 1815,	46 23
Child, Jonathan, to 5th March, 1815,	70 24
Draper, William, to 1st January, 1815,	63 19
Emery, Moses, to 1st January, 1815,	29 38
Eells, Samuel, to 7th November, 1814,	124 27
Fisk. Ezra, to 10th January, 1815,	48 93
Farrer, David, to 1st January, 1815,	26 70
Gilbreth, John, to 1st June, 1815,	51 28
Gilmore, Rufus. to 1st January, 1815,	30 75
Gitchel, Ephraim, to 3d January, 1815,	73 24
Goodwin, Andrew, to 24th January, 1815,	33 00
Henshaw, Samuel, to 30th May, 1815,	20 87
Hilton, Joshua, to 9th September, 1814,	179 63
Hammon, Jonathan, jun. to 20th May, 1815,	4 29
Hale, Enoch, jun. to 1st February, 1815,	65 38
Hayes, John, jun. to 4th December, 1814,	48 80
Hanson, John, B. to 20th April, 1815,	42 44
Jewett, Jesse, to 16th January, 1815,	27 00
Jefferds, Nathaniel, to 30th September, 1814,	28 88
Kieth, Cyrus, to 3d June, 1815,	157 36
Kingman, Simon, to 2d June, 1815,	91 26
Keith, Joseph, to 22d May, 1815,	39 16

Knight, Jonathan, to 10th April, 1815,	4 99
Libby, Nathaniel, to 19th September, 1814,	54 17
Larrebee, William, to 20th September, 1814,	36 74
Lewis, Philo, to 2d September, 1814,	21 38
Lunt, Peter, to 1st October, 1814,	14 75
Marston, Jonathan, to 30th November, 1814	58 50
Mitchel, Isaac, to 7th October, 1814,	40 90
Needham, Joseph, H. to 31st December, 1814,	63 72
Needham, Harvey, to 7th April, 1815,	18 57
Nye, Joseph, to 2d December, 1814,	40 38
Orr, Hector, to 12th December, 1814,	98 65
Ormsby, Abraham, jun, to 2d January, 1815,	52 33
Poor, Daniel, A. to 12th October, 1814,	28 84
Page, Jesse, to 1st October, 1814,	38 74
Porter, David, K. to 13th September, 1814,	28 61
Parker, Joseph, to 24th February, 1815,	16 55
Porter, Horace, to 17th January, 1815,	35 09
Parsons, William, jun. to 15th January, 1815,	51 09
Rice, Alvin, to 14th October, 1814,	24 55
Scammon, John, F. to 16th January, 1815,	15 66
Smith, Henry, to 12th October, 1814,	13 89
Sexton, George, to 13th September, 1814,	48 15
Stimpson, James, to 28th December, 1814,	21 63
Sayles, Richard, to 8th February, 1815,	50 55
Sampson, John, to 26th May, 1815,	18 02
Sampson, Joseph, to 28th May, 1815,	19 03
Shepard, Robert, to 14th June, 1815,	61 92
Sears, Joseph, to 11th January, 1815,	22 85
Shattuck, Daniel, to 4th January, 1815,	64 28
Thompson, Charles, to 19th January, 1815,	187 09
Tobey, James, to 18th December, 1814,	33 37
Tobey, Elisha, to 27th December, 1814,	66 01
Trail, J. to 20th October, 1814,	15 38
Turner, John, P. to 17th September, 1814,	37 35
Tainter, Harvey, to 13th May, 1815,	9 36
Weed, Jared, to 11th January, 1815,	43 37
Williams, John, to 3d October, 1814,	108 84
Washburn, Cromwell, to 29th October, 1814,	51 33
Williams, Lemuel, to 30th September, 1814,	70 70
Winter, Samuel, to 4th November, 1814,	11 90
Ware, Jason, to 3d June, 1815,	23 28
	4209 18

Expenses for Horses to haul Artillery.

Joy, Noah, to 1st October, 1814,		5 00
Kelly, Sylvanus, to 19th May, 1814,		5 00
Partridge, Nathan, to 23d September, 1814,		5 00
Smith, Edmund, M. to 24th February, 1815,		15 00
Thaxter, Jonathan, to 22d February, 1815,		16 00
		46 00
Courts Martial, &c.	866 08	
Brigade-Majors, &c.	2090 47	
Quarter-Masters,	15 60	
Adjutants,	4209 18	
Expenses for Artillery Horses,	46 00	
Total Military,	7227 33	

SHERIFFS AND CORONERS' ACCOUNTS.

Adams, Moses, Sheriff of Hancock county, for distributing precepts and returning votes, to April, 1815,	98 00
Dean, Abiezer, Coroner of Bristol county, for inquisition and burial of a stranger, February, 1815,	17 75
Hayward, Nathan, Sheriff of Plymouth county, for returning votes, to 15th May, 1815,	13 07
McMellen, John, Sheriff of Oxford county, for returning votes, to May, 1815,	11 20
Total Sheriffs and Coroners,	140 02

PRINTERS' ACCOUNTS.

Burrell & Tileston, for printing Laws, for the year ending July, 1814,	45 67
Bangs, T. G. for printing for government, per order, to June, 1815,	33 00
Cushing, Thomas C. for printing Laws, to June, 1815,	16 67
Cheever, Nathaniel, for printing Laws, for the year 1814,	16 67

Chickering, Jabez, for printing for government, per order, to 1st June, 1815,	236 71
Dickerman, Thomas, for printing Laws, for the year 1814,	25 42
House, E. G. for printing 2000 copies of Treaties with England, by order of government, March, 1815,	175 00
Hale, Nathan, for printing Laws, for the years 1813—1814,	34 09
Lindsey, Benjamin, for printing Laws, to May, 1815,	16 67
Russell, Benjamin, for printing Laws, for the year 1814,	16 67
Russell, Benjamin, for printing for government, to 10th June, 1815,	2953 70
Tileston, Ezra B. for printing for the Agricultural Society, to 10th June, 1815,	196 60
Total Printers,	3766 87

MISCELLANEOUS ACCOUNTS.

Apthorp, John T. Treasurer of the Commonwealth, for sundries, per account, for government,	97 80
Bacon, Henry, for assisting the Messenger of the General Court, to 15th June, 1815,	36 00
Burditt, James W. for sundry stationary furnished the government, per order, to 15th February, 1815,	34 32
Bradford & Read, for stationary furnished the government, to June, 1815,	75 55
Chase, Warren, for assisting the Messenger of the General Court, to 15th June, 1815,	36 00
Durant, William, for sundry glazing at the State House, to 30th May, 1815,	7 25
Dane, Nathan, for services in collecting, arranging and publishing the Colony and Province Laws, to 25th January, 1815,	357 21

Guardians of Dudley Indians, for balance due them the 19th January, 1815, which sum the Treasurer is directed to charge said Indians with, and deduct the same from the sum due them from the Commonwealth,	320 78
Kuhn, Jacob, for balance due him on the 13th June, 1815, over and above the several grants made him by the General Court, 1814 and 1815,	25 90
Low, Lewis, for assisting the Messenger of the General Court, to 15th June, 1815,	32 00
McCleary, S. F. for making index to sundry journals, per order of government, to 10th June, 1815,	125 82
Munroe, Francis & Parker, for binding sundry books, per order, to June, 1815,	7 75
Knapp, Samuel, L. for services on Committees during recess, balance of former account, June, 1815,	11 25
Thompson, James, for sundries furnished the State House, per order, to 9th June, 1815,	77 28
Total Miscellaneous,	1244 91

Aggregate of Roll No. 73.

Expense of State Paupers,		21,186 94
Do.	of Militia,	7,227 33
Do.	of Sheriffs and Coroners,	140 02
Do.	of Printers,	3,766 87
Do.	of Miscellaneous,	1,244 91
		33,566 07

Resolved, That there be allowed and paid out of the public Treasury, to the several Corporations and persons mentioned in this Roll, the sums set against such Corporations and persons' names respectively, amounting in the whole,

to the sum of thirty-three thousand, five hundred sixty-six dollars and seven cents. the same being in full discharge of the accounts and demands to which they refer.

In Senate, June 15th, 1815.
Read and accepted, sent down for concurrence.
JOHN PHILLIPS, *President.*

In the House of Representatives, June 15th, 1815.
Read and concurred,
TIMOTHY BIGELOW, *Speaker.*

June 15th, 1815....Approved.

CALEB STRONG.

COMMONWEALTH OF MASSACHUSETTS.

Secretary's Office, October 9th, 1815.

By this I certify, that the Resolves, &c. contained in this pamphlet, which were passed at the June Session, 1815, have been compared with the originals, in this Office, and appear to be correct.

ALDEN BRADFORD,
Secretary of the Commonwealth.

RESOLVES

OF THE

GENERAL COURT

OF THE

Commonwealth of Massachusetts,

PASSED AT THEIR SESSION,

WHICH COMMENCED ON WEDNESDAY, THE TENTH DAY OF JANUARY,

AND ENDED ON THE FIFTEENTH OF FEBRUARY, 1816.

Published agreeably to a Resolve of 16th January, 1812.

BOSTON:

PRINTED BY RUSSELL, CUTLER AND CO. FOR BENJAMIN RUSSELL,

PRINTER TO THE STATE.

1816.

RESOLVES

OF THE

GENERAL COURT OF MASSACHUSETTS,

PASSED AT THEIR SESSION,

WHICH COMMENCED ON THE TENTH DAY OF JANUARY, AND ENDED ON THE FIFTEENTH DAY OF FEBRUARY, A. D. 1816.

GOVERNOR'S MESSAGE.

REPRESENTATIVES' CHAMBER, JANUARY 10th, 1816

At 12 o'clock, the Secretary of the Commonwealth came down from the Council Chamber to the Senate and House of Representatives, with the following MESSAGE from his Excellency the Governor :

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

I HAVE received, since the close of your former session. by order of the Secretary of State, twenty-eight boxes, containing the laws of the United States, for the use of this Commonwealth ; they are deposited in the office of the Secretary, to be disposed of according to the directions of the Legislature.

By a resolve of the 15th June, one of the members of the late board of war was authorized to complete and close the accounts of this Commonwealth against the United States, in the office of that board, and file the same in the Secretary's office. It appears by his letter, that the service was seasonably performed :—This letter, together with the adjutant general's annual return of the militia of the state ; and the quarter-master general's return of the ordnance and military stores belonging to this commonwealth, and of the arms and munitions of war which were loaned to several towns and individuals, and which have not been returned into the public arsenal, will be laid before you by the secretary. He will also deliver you a letter from the quarter-master-general, stating divers circumstances relating to his department, which will require your attention.

Within the last three years, more than one hundred acts of the General Court have been passed, to incorporate persons for the purpose of carrying on manufactures of different kinds ; in some of these, and other similar establishments, children are employed at an early age, before they have received the education which is usual in our English Schools ; and it may be expedient for the Legislature to require, that effectual measures be taken for the instruction of such children. This would be no disadvantage to our new branches of manufacture, which I have no doubt you will be disposed to encourage, and which seem to be entitled to that protection, which can be afforded to them only by the national legislature.

The careful education of youth is an object of the highest importance, as well to the government, as to every individual ; a due regard to it, is the most effectual method to prevent the commission of crimes, and uphold order and just authority. At this period, when they are most susceptible of virtuous impressions, if they are left without cultivation or restraint, they will entail upon their country an endless series of mischiefs. But if their minds are enlightened by education, as they advance in life, they will understand and duly estimate their rights ; they will be able to judge of the characters and motives of men, and distinguish between the honest zeal of patriotism, and the intemperate heat of party spirit ; and will acquire such information, as will enable them to exercise the rights, and perform the duties of citizens in a free government, with steadiness and discretion.

From the ease with which new regulations may be introduced, perhaps we are in danger of treating the ancient forms and usages of the state with too little respect. The people, generally, have a peculiar attachment to those laws and customs which have been long established, and conform to them more from habitual regard, than through fear of punishment. Unnecessary additions to their number, or frequent alterations, would diminish their authority, and lay a foundation for a multitude of litigious suits. While, therefore, we encourage a spirit of genuine improvement, let us do justice to the usages which we and our fathers have approved, and guard against a temper of unceasing innovation; let us cherish those principles of government, and those systems of education, which have been derived to us from our ancestors; and especially the institutions which have a tendency to preserve in the minds of the people, that reverence for the Deity, without which, neither public nor private virtue can subsist, nor the welfare of a community be secured.

A state of peace is highly favorable to the improvement and prosperity of the people, and affords the best security for the continuance of their freedom. Our remote situation from Europe, might lead us to expect, that we should seldom be in danger of foreign war; but such expectations may prove delusive. In every country, some persons will be found, of a restless temper, who are always dissatisfied with a state of tranquility; and there are many, who eagerly wish for a share in those numerous and lucrative offices and contracts, which appertain to a state of war. These men may employ themselves in attempts to excite animosity in the minds of the people, against nations with whom we are at peace, and whose friendship is beneficial. Indeed, when the country is engaged in war, there may be some apology for adopting, in our publications, the language of boasting and irritation, with a view to recommend the measures of the government. But when war is at an end, if we persist in personal resentment, and endeavor to perpetuate a spirit of enmity against a people for whom our government professes friendship, we manifest a depraved and malevolent temper: such conduct cannot proceed from any honourable motive;—it is equally unjust and impolitic, and can only tend to transmit our odious passions to future times, and entail upon our children implacable hatred, and never ending hostility.

But there may be danger of war from a higher source. In almost every government, there is a party, even in the public councils, who wish to signalize their term of office by some splendid action, or some acquisition of territory, however useless it may be; they are anxious to provide for their numerous friends and dependents, by multiplying public offices, and augmenting the patronage of the government; and they are willing to extend its powers, which are always enlarged in a state of war, in proportion as the public taxes, and the number of standing troops are increased. Besides, governments, strengthened by a large military force, are then often tempted to assume powers, which are wholly inconsistent with civil liberty. The people may also be involved in foreign wars, to suspend disputes or complaints which arise at home; or to promote the success of one political party against the other; or perhaps from the mere impulse of prejudice or passion. But when a war spirit predominates, from whatever cause, there will soon be found some occasion for hostilities. Events frequently happen in the intercourse of nations, which furnish a specious pretence for designing men, to excite the passions of the people and dispose them to a rupture. They may affect great zeal for the interest of their own country, and proportional indignation against those powers, whose measures are supposed to obstruct it. In such cases, it will be hardly possible to avoid war, if at the same time, the people are flattered with an ostentatious display of their resources, and hear nothing but what tends to excite their vanity, or inflame their resentment.

In the motives for making war, self interest has often a controling influence; under the pretence of regard to national honour, rulers are too frequently inclined to discover supposed insults and injuries where none were intended. Instead of listening patiently to arguments in favor of peace, or reflecting how greatly they themselves may be deceived in appreciating their own motives and actions, they rashly declare war, and sacrifice many thousand lives, when by a short delay, and a candid negotiation, the supposed injuries might have been fully explained or expiated.

Nor does our form of government afford us any assurance of uninterrupted peace. Republics of very limited extent, and surrounded by powerful nations, are chiefly attentive to their own safety; and have seldom an opportunity of indulging the sipirit of conquest. But wherever that spirit pre-

vails, whether in republics or monarchies, it is cruel, rapacious and insatiable. During the whole period of the Roman Commonwealth, that people were almost constantly engaged in wars with the adjoining States ; in most of their wars they were themselves the aggressors, and were ready to gratify their ambition and avarice at the expense of neighbouring nations, against whom they had no reasonable ground of complaint.

In republics, ambition is the great source of crimes and misfortunes. It is frequently possessed by the favorites and pretended friends of the people ; who, notwithstanding, when actuated by this impulse, lose their sentiments of justice and regard to the welfare of their country ; and seem to have no sense of public calamities, unless they suffer themselves, or their family connexions, or party influence, are affected.

Although, as members of this government, we can have no immediate agency in producing wars, or preventing them ; yet, so far as we have influence in choosing the officers of the national government, we may and ought to employ it, in selecting those who are distinguished for integrity, moderation, and invariable attachment to the rights of the citizens and the public good. I hope the United States will be saved from the guilt of unjust and offensive wars ; but we shall have little ground to flatter ourselves with the expectation of durable tranquility, until the rulers of the world are governed by disinterested motives, and the passions of avarice and ambition are controled by a better spirit.

On this occasion, gentlemen, will you indulge me in a few remarks which relate chiefly to myself ?

If we had been in a tranquil state during the last four years, I should not have been a candidate for any public office ; but having been again called upon, I hoped to be capable of performing any service that might be assigned me, until our affairs should be in a more peaceful train, and the difficulties which embarrassed the government of the state should be diminished. That period is now arrived, and the infirmities of age make it necessary for me to retire, as soon as conveniently may be, from public business. Permit me, therefore, to say to you, gentlemen, and through you to our constituents, that I decline to be a candidate for the office of Governor at the next election. I thank my

fellow citizens for the many proofs they have given me of their confidence, and especially for their candor, in doing justice to the motives by which I was influenced in the course of the late war. I hope the people of this state, will in all future times be united in sentiments of mutual good will; and may the Almighty, who protected our fathers, be the guide and defence of their children, in this, and every succeeding generation.

CALEB STRONG.

Council Chamber, January 10th, 1816.

RESOLVES.

January, 1816.

CHAP. LXXIV.

Resolve granting $700, *to the Messenger of the General Court to purchase fuel.* 11th January, 1816.

Resolved, That there be paid out of the Treasury of this Commonwealth, to Jacob Kuhn, Messenger of the General Court, the sum of seven hundred dollars, to enable him to purchase fuel, and such other articles as may be necessary for the use of the General Court, together with the Governor and Council Chamber, the Secretary's, Adjutant-General's and Quarter-Master-General's Offices, he to be accountable for the expenditure of the same.

CHAP. LXXV.

Resolve for printing and distributing a new volume of the Public Laws. 16th January, 1816.

Resolved, That the Secretary of this Commonwealth be authorized and required to contract with some person or persons. on reasonable conditions, for printing thirteen hundred copies of the Public Acts of this Commonwealth, now in force, which have been passed since February, eighteen hundred and seven, and to include those also which may be passed

by the present General Court; and also for binding the same in one volume, to conform, in size, type and paper, to those last published by order of this Commonwealth, with a suitable index thereto.

And be it further resolved, That when the said volumes shall be printed and bound, as aforesaid, the same shall be distributed from the Secretary's Office, in the same manner, and on the same conditions, as are pointed out in a Resolve, passed January 31st, A. D. 1807.

CHAP. LXXVI.

Resolve, directing the Secretary to deliver Laws, &c. to the town of Sebec. 16th January, 1816.

On the petition of the Selectmen of the town of Sebec, stating that a portion of the Laws and Resolves of the General Court, which were committed to the care of the late Charles Hammond, Esq. for said town, were destroyed or carried away by the troops of Great Britain, in their late invasion of the county of Hancock, and praying that the same may be replaced by the Commonwealth:

Resolved, That the prayer of said petition be granted, and that the Secretary of the Commonwealth be directed to furnish to the use of said town of Sebec such portion of the Laws, Resolves and Reports of the Commonwealth as were committed to the said Charles Hammond, Esq. for their use, and destroyed or carried away, as aforesaid.

CHAP. LXXVII.

Resolve on the petition of William Sullivan, Administrator of the estate of John Gray. 18th January, 1816.

On the petition of William Sullivan of Boston, in the county of Suffolk, in the capacity of Administrator de bonis non, with the will annexed, of the estate of John Gray, late of said Boston, rope maker, deceased, praying leave to sell certain real estates, of which the said John Gray died siezed and possessed—

Resolved, That the said William Sullivan be, and he hereby is, fully authorized and empowered to sell at public or private sale the whole of the aforesaid real estates, which are described as follows—viz: First—a piece of land bounded southeastwardly on Purchase-street, there measuring thirty-three feet six inches: southwestwardly on land of Thomas Dawes, Esq. one hundred and nine feet and five inches: northwestwardly on High-street, there measuring twenty-nine feet nine inches: northeastwardly on other land of said John Gray next hereinafter described, and there measuring in a straight line between the aforesaid streets one hundred twenty-seven feet and six inches. Second—a piece of land bounded southeastwardly on Purchase-street, there measuring one hundred and six feet: southwestwardly on the piece of land herein before described, and there measuring one hundred and twenty-seven feet and six inches: northwestwardly on High-street, there measuring one hundred and nine feet and seven inches: northeastwardly by a straight line from High-street to Purchase-street, bounding on land belonging to Lamb, and land of Stimpson, and land of Clouston, and land formerly of the heirs of Savage, measuring on this line one hundred fifty-five feet three inches.—Third—A piece of land situate on Atkinson-street and High-street bounded and described as follows: Beginning at a corner of land of Honorable Peter C. Brooks, and bounded southwestwardly on Atkinson-street one hundred and two feet and seven inches till it comes to the corner on High-street: then bounded northwestwardly on High-street eighty-three feet: then bounded northeastwardly on land of Francis Wright's heirs one hundred and thirty feet and three inches: then bounded southeastwardly on land of Peter C. Brooks, Esq. seventy-five feet and three inches And the said William Sullivan is hereby authorized and empowered to make, sign, seal, execute, acknowledge and deliver good and sufficient deed or deeds to pass and convey all the right, title, interest and estate, which the said John Gray, deceased, had in the aforesaid lands, to any purchaser or purchasers thereof: *Provided*, He, the said Sullivan shall be first duly sworn, and shall give bonds to the satisfaction of the Judge of Probate for the county of Suffolk, faithfully and impartially to execute the authority so given him; and to pay over and distribute the proceeds of sale, as the said Judge of Probate may decree; *and, provided, also*, That said Sullivan give

public notice of sale, by advertising the same three weeks successively in three different newspapers printed in Boston, the first of faid publications to be, at least, twenty days before the sale of said lands, or any part thereof.

CHAP. LXXVIII.

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

The Honorable General Cobb has requested permission to resign his office of Major-General of the Tenth Division of the Militia of this Commonwealth, for reasons which have been deemed sufficient—his resignation has therefore been accepted.

CALEB STRONG.

Council Chamber, January 18th, 1816.

CHAP. LXXIX.

Resolve on the petition of Sarah Phillips, one of the Grafton Indians. 19th January, 1816.

Whereas a Resolve passed the Legislature of this Commonwealth, on the twenty-eight day of January last, empowering Asa Goodale, Trustee of the Grafton Indians, to sell a part of the real estate of Sarah Phillips, one of said Indians, and appropriate the interest arising on the proceeds of the sale thereof, for her support; and whereas the said Sarah Phillips has, by her petition, requested leave for the said Trustee to appropriate a part of the proceeds of said sale, for her benefit and support:

Therefore resolved, That the said Asa Goodale, Trustee as aforesaid, or his successor in that trust, be, and hereby is empowered to appropriate a part, or the whole of the proceeds of said sale, for the comfort and support of the said Sarah, and likewise to pay such necessary debts, heretofore contracted for her support, as he shall think proper.

CHAP. LXXX.

Resolve for the Secretary to deliver the Term Reports to the Attorney and Solicitor General.
20th January, 1816.

Resolved, That the Secretary of the Commonwealth be directed to deliver to the Attorney General and Solicitor General of this Commonwealth, one set. each, of the Massachusetts Term Reports, now remaining in his office, and not otherwise appropriated.

CHAP. LXXXI.

Resolve on the petition of Joseph Miller, as Executor of the estate of John Wyeth. 20th January, 1816.

On the petition of Joseph Miller, as Executor of the last will and testament of John Wyeth, late of Cambridge. in the county of Middlesex. Gentleman, deceased, relating to the affidavit of the notice by him given of his appointment to and acceptance of said trust ;

Resolved, For the reasons and purposes in said petition stated, that the prayer thereof be granted ; and that said affidavit by him, said Executor. made of said notice, and now recorded in the Registry of Probate in and for said county of Middlesex as therein alleged, shall be admissable evidence of the time place and manner said notice was given by him, although the same was not made, filed and recorded within the time therefor limited by law, any law to the contrary notwithstanding.

CHAP. LXXXII.

Resolve on the petition of Harrison G. Otis, Administrator of the estate of Mary Boylston, late of Boston, deceased. 20th January, 1816.

On the petition of Harrison Gray Otis, Administrator, with

the will annexed, of the estate of Mary Boylston, late of Boston in the county of Suffolk, deceased, praying leave to sell certain real estate taken by him in his said capacity in execution.

Resolved, For reasons set forth in said petition, that said Harrison Gray Otis be, and hereby is authorized to sell at public or private sale, as he may judge most for the interest of all concerned, certain pieces of land, lying in Princeton, in the county of Worcester, upon which an execution in favor of said Otis, Administrator as aforesaid, against the estate of Moses Gill, late of said Princeton, Esquire, deceased, was, on the twenty first day of April last past, extended, as by the record of said execution and return in the office of the Clerk of the Supreme Judicial Court for the county of Suffolk fully appears—and to make and execute good and sufficient deeds thereof to the purchaser or purchasers; and to pay over and distribute the proceeds of such sales, conformably to such order or decree as may hereafter be made, touching the same by the Judge of Probate for the county of Suffolk, in the same manner as if said debt from said Gill had been received by him in money—said Otis first giving bond to the satisfaction of said Judge of Probate, with condition that the same shall be sold by him bonafide for the best advantage of all concerned; and that the proceeds thereof shall be distributed agreeably to the provisions of this Resolve.

CHAP. LXXXIII.

Resolve on the petition of John Parker, Administrator of the estate of William Richardson, late of Lexington, deceased. 20th January, 1816.

On the petition of John Parker, as Administrator of the estate of William Richardson, late of Lexington, in the county of Middlesex, yeoman, deceased, intestate, relating to the sale, which he, in his said capacity, pursuant to a license of the Circuit Court of Common Pleas, for the middle circuit, therefor, made, at public auction, on the 25th day of April, A. D. 1814, of all said deceased's right, title and interest, in and to divers parcels of real estate, situate in Needham, in the county of Norfolk, to wit, of one undi-

vided forty-eighth part thereof; and to the affidavit therein mentioned by him since made of said sale and his proceedings relative thereto and now recorded in the Registry of Probate in and for said county of Middlesex—

Resolved, For the reasons and purposes in said petition stated, that the prayer thereof be granted, and that said affidavit by him made of said sale and his proceedings relating thereto, and now recorded in said Registry, as therein alleged, shall be admissible evidence of said sale and proceedings, although the same was not made and recorded as aforesaid, within the time limited by law, any law to the contrary notwithstanding.

CHAP. LXXXIV.

Resolve on the petition of Susanna White, Administratrix of the estate of Moses White, deceased.
20th January, 1816.

On the petition of Susanna White, of Windsor, in the county of Windsor, in the state of Vermont, widow, as Administratrix of the estate of Moses White, late of Watertown, in the county of Middlesex, in the Commonwealth of Massachusetts, Esquire, deceased, intestate, relating to the sale which she, in her said capacity, pursuant to a license granted by the Supreme Judicial Court therefor, made, at public auction, on the sixteenth day of June, A. D. 1813, of divers parcels of the real estate of said deceased, and to the affidavit therein mentioned, by her since made of said sale and her proceedings relating thereto, and now recorded in the Registry of Probate in and for said county of Middlesex:

Resolved, For the reasons and purposes in said petition stated, that the prayer thereof be granted, and that said affidavit, by her made, of said sale and her proceedings relating thereto, and now recorded in said Registry, as therein alleged, shall be admissible evidence of said sale and proceedings, although the same was not made and recorded as aforesaid, within the time limited by law, any law to the contrary notwithstanding.

CHAP. LXXXV.

Resolve on the petition of Amos Gould, of Ipswich, relating to Grammar School. 20th January, 1816.

On the petition of Amos Gould, of Ipswich, in the county of Essex, yeoman, praying that the Feoffees of the Grammar School in said Ipswich may be authorised and empowered to convey and confirm to him one half part of an old common right in Turner's Hill Pasture, called Turner's Hill Eight, in Ipswich aforesaid, numbered twelve—therefore, for reasons set forth in said petition,

Resolved, That the said Feoffees be, and they hereby are, authorized and empowered to make, execute and deliver to said Gould a good and sufficient deed of said half part of the common right aforesaid; which deed, duly acknowledged and recorded, shall be valid to convey and give a good title to said half right: *Prov ded,* said Gould shall release all right of action for and on account of one half part of an old common right numbered four, in said Pasture, against the heirs, devisees or assigns of Judah Goodhue, yeoman, and Rachel Goodhue, widow, both of said Ipswich, which said Gould may or can have against them, by virtue of their deed to Josiah Lamson, dated twenty-eighth day of June, one thousand eight hundred and six.

CHAP. LXXXVI.

Resolve authorizing the Treasurer to transfer the stock of the United States issued in the name of this State to the Boston Bank. 22d January, 1816.

On the representation of the Treasurer of this Commonwealth,

Resolved, For reasons stated in said representation, that the Treasurer of this Commonwealth be, and hereby is authorized to transfer to the Boston Bank, from time to time, all such proportions of the Stock of the United States, issued or to be issued in the name of the Commonwealth, in payment of the principal or interest of the Stock now standing

in the name of the Commonwealth, as the said Boston Bank are entitled to, in virtue of their Charter and existing Laws, or of any agreement made with the Commonwealth.

CHAP. LXXXVII.

Resolve on the petition of Warren Chase, assistant to the Messenger of the General Court. 22d January, 1816.

On the petition of Warren Chase, assistant to the Messenger of the General Court,

Resolved, That there be allowed and paid out of the public Treasury of this Commonwealth, to Warren Chase, as assistant to the Messenger of the General Court, the sum of thirty six dollars in full for his services to this day.

CHAP. LXXXVIII.

Resolve on the petition of Hepzibah Rathbone, Administratrix of the estate of Reverend Valentine W. Rathbone. 22d January, 1816.

On the petition of Hepzibah Rathbone, Administratrix on the estate of the Reverend Valentine Wightman Rathbone, and Samuel Rathbone, Guardian of the minor children of the said Valentine, praying that she the said Hepzibah, in her said capacity of Administratrix, may be authorized and empowered to make and execute a deed of sale to one Barzillai Hayward, of Bridgewater, in the county of Plymouth, physician, of about ten acres of land, with the buildings thereon standing, situate in Bridgewater aforesaid, being the same lands and buildings, of which the said Valentine W. Rathbone died siezed:

Resolved, For reasons set forth in the petition, that the said Hepzibah Rathbone, in her said capacity of Administratrix as aforesaid, be, and she hereby is empowered to make and execute to the said Barzillai Hayward, a deed of the aforesaid ten acres of land and buildings; which said deed shall vest in him, the said Barzillai Hayward, his heirs and assigns forever, all the right, title and interest, which the said Valentine W. Rathbone had therein at the time of his death.

CHAP. LXXXIX.

Resolve on the petition of Samuel Eastman, Administrator of the estate of Lewis Howe, late of Hardwick.
23d January, 1816.

Resolved, For reasons set forth in said petition, that the said Samuel Eastman be, and he hereby is authorized and empowered to make and execute to Jason Mixter, a good and sufficient deed of a certain tract of land in Hardwick aforesaid, bounded as follows, viz :—beginning at the south east corner of the premises, at a stake and stones by the north side of the Turnpike road, about forty rods west of Potash-Brook; thence north, twenty nine and one fourth degree east, eight rods and seven links; thence west, thirty five and one third degree north, forty one rods to the turnpike road aforesaid; thence by said road, forty two and one half rods, to the first mentioned corner, containing one acre.

Also, That the said Samuel Eastman be, and he hereby is authorized and empowered to make and execute to Ezra Ruggles, a good and sufficient deed of a certain tract of land on the west side of the common in said Hardwick, and adjoining the same; bounded as follows, viz. beginning at the northeast corner of the premises, and the southeast corner of Samuel Hathaway's land, at a stake and stones; thence south, five degrees west, twenty-six rods, to the turnpike road aforesaid; thence north forty-three degrees west, by said road twenty-one rods; thence north, five and one half degrees east, thirteen rods and five links; thence east, five degrees south, fifteen rods and sixteen links to the first mentioned corner, containing two acres. Which deeds, when so made and executed, to the said Jason Mixter and Ezra Ruggles, shall be as good and effectual in law as if the said Lewis Howe, in his life time, had made and executed the same.

CHAP. XC.

Resolve on the petition of Elizabeth Randall.
23d January, 1816.

Resolved, That all right, title or claim to the real estate mentioned in said petition, which the Commonwealth of Massachusetts has or might have, in consequence of the alienage of John Randall, deceased, and of the said Elizabeth Randall, previous to her having been naturalized, be, and the same is hereby released to the said Elizabeth, her heirs and assigns forever.

CHAP. XCI.

Resolve making valid the proceedings of the town of Bethel.
23d January, 1816.

On the petition of the town of Bethel, in the county of Oxford, setting forth that the town meetings in said town since the year 1812, had been illegal, that said meetings were not legally warned, that the clerks of said town had omitted to record the seals of the Selectmen's warrants for calling the meetings, and that the Collector of Taxes for the year 1814 was not legally chosen by said town, and praying that the proceedings, acts and doings in the aforesaid particulars may be rendered valid,

Resolved, That the proceedings aforesaid of the town of Bethel and of said Collector of Taxes, be made valid and effectual in law to all intents and purposes, as if the same had been done and transacted according to the laws of this Commonwealth, in such cases made and provided.

CHAP. XCII.

Resolve, authorizing Ebenezer Emerson to sell real estate of James H. Eames, a spendthrift. 24th January, 1816.

On the petition of Ebenezer Emerson, of Reading, in the county of Middlesex, yeoman, Guardian of James Harvey Eames, of said Reading, a spendthrift, praying that he the said Ebenezer, in his said capacity, may be authorized to sell at public vendue the whole of said spendthrift's real estate;

Resolved, For reasons set forth in said petition, that the said Ebenezer Emerson, in his said capacity, be, and he hereby is fully authorized and empowered to sell at public auction, and to convey the real estate of said spendthrift as set forth in said petition, and to give a good and sufficient deed or deeds of said estate: *Provided*, that the said Guardian first give a bond, with sufficient sureties, to the Judge of Probate for said county, to account for the proceeds of said sale, and to observe the rules and directions of law, relative to the sale aforesaid, in the same way and manner as is provided by the law of this Commonwealth, where Guardians are licensed by the Supreme Judicial Court to make sale of the whole real estate.

CHAP. XCIII.

Resolve discharging Simeon Dike from the penalty of a Recognizance. 24th January, 1816.

On the petition of Simeon Dike, of Plymouth, in the county of Plymouth, praying for the remission of the forfeiture of a Recognizance to this Commonwealth, entered into by him as surety, before Nathaniel Goodwin, Esq. a Justice of the Peace for said county, on the second day of May, A. D. 1815, conditioned for the appearance of one John Dike, at the then next Circuit Court of Common Pleas in said county of Plymouth;

Resolved, For reasons set forth in said petition, that, upon the payment of all costs, which have accrued by reason of

the prosecution aforesaid, the penalty of said Recognizance be remitted to the said Simeon Dike, and that he be wholly discharged from the same.

CHAP. XCIV.

Resolve appointing a Committee to inquire into the doings of the Hallowell and Augusta Bank. 24th January, 1816.

Resolved, That the Hon. James Bridge, of Augusta, Samuel Cony, of Wiscasset and Ebenezer T. Warren, of Hallowell, be a Committee to inquire into the doings of the Hallowell and Augusta Bank, incorporated March sixth, 1804, and also the Hallowell and Augusta Bank, incorporated June twenty-third, 1812, and report the state thereof—That the said Committee be instructed to inquire whether the said Corporations have exceeded the powers granted them, or failed of complying with the rules, restrictions and conditions required by their acts of incorporation; to ascertain and report the amount of bills in circulation, and other debts against said Banks, the amount of money and other property belonging to said Banks, and debts due to them; and also the amount of capital divided among the Stockholders and paid to them; of the Hallowell and Augusta Bank, incorporated March sixth, 1804, and generally to ascertain and report the state of said Banks, as soon as may be. The said Committee are hereby invested with full power to examine the books and vaults of said Banks, and to send for such persons and papers as they shall deem necessary to effect the objects of their appointment.

CHAP. XCV.

Resolve relinquishing land in Princeton to the Society for propagating the Gospel among the Indians and others. 24th January, 1816.

On the petition of Alden Bradford, Esq. one of a Committee of the Society for propagating the Gospel among the Indians and others in North America, stating that a mistake

had been made in a Resolve of this Legislature, passed on the fourteenth day of June, 1815, by which certain lands in Princeton, which had escheated to the Commonwealth, were granted to "the Society for propagating the Gospel in foreign parts," (no such Society being now in existence in this country) instead of its being granted to the Society first above mentioned, which was the intention of the Legislature;

Resolved, That any claim or right which is vested in this Commonwealth, by escheat, or otherwise, regarding certain parcels of land in Princeton, in the county of Worcester, which formerly belonged to "the Society for propagating the Gospel in foreign parts," be, and the same are hereby granted and transferred to "the Society for propagating the Gospel among the Indians and others in North America," and their successors and assigns forever, any thing contained in the Resolve of the fourteenth of June last to the contrary notwithstanding.

CHAP. XCVI.

Resolve on the petition of David Townsend, for leave to erect a Brick Stable. 24th January, 1816.

Resolved, That the Firewards of the town of Boston be, and they hereby are empowered to permit stables to be built of brick, and properly slated, on land owned by David Townsend, for reasons set forth in his petition, situate near Marlborough-street and Bromfield's-lane, in said town, on such terms and conditions as the said Firewards of said town find to be consistent with the safety of said town from fire, any law to the contrary notwithstanding.

CHAP. XCVII.

Resolve on the petition of the Selectmen of Anson, making their proceedings valid. 25th January, 1816.

On the petition of the Selectmen of the town of Anson, representing that divers circumstantial errors and omissions had been committed in notifying their town meetings, and in keeping their records;

Resolved, For reasons set forth in said petition, that the proceedings of the several town meetings duly holden within the town of Anson, and the records thereof, shall be deemed and taken to be as valid and effectual, to all intents and purposes, as if the said town and the officers thereof had proceeded according to the laws regulating their proceedings in these particulars.

CHAP. XCVIII.

Resolve appointing a Committee to ascertain the practicability of a Navigable Canal, to unite Connecticut and Merrimack Rivers. 25th January, 1816.

Resolved, That Loammi Baldwin, Esq. and John Farrar, Esq. Professor of Mathematics and Natural Philosophy at Harvard University, or either of them, be a Committee to explore and survey, at the expense of this Commonwealth, a rout for a Navigable Canal from Connecticut river to the river Merrimack, as near as may be on a line drawn from the mouth of Sugar river, which empties into the Connecticut, to the bottom of Sewall's falls near the mouth of Contoocook river, which empties into Merrimack river, in the northerly part of the town of Concord, in the State of New-Hampshire, comprehending the outlets and shores of Sunapee lake; ascertaining the elevation of the said lakes above the waters of the said rivers, and the height of the falls, and of the land on either side of the same, so that the survey may form the basis of a calculation of the expense of such water communication—and make report at the second session of the next General Court.

CHAP. XCIX.

Resolve authorizing Thomas Johnson and others to locate lands. 25th January, 1816.

On the petition of Thomas Johnson and others, being the persons named in a Resolve of the Legislature, passed the twenty-fourth day of January, A. D. 1815,

Resolved, For reasons set forth in said petition, that the said Thomas Johnson and others, to wit, Peleg Chandler, Jun. Esq. Jacob Davis, Hannah Moore, sister of said Jacob, William C. Whitney, Nathan Woodbury, Stephen Phelps, Henry Jackson, John Cousins, George Deming, Levi Bartlett, Zebedee Cushman, Davis Woodward, Samuel Brown and Abiel L. Rollins, shall be at liberty to locate the grants of lands made to them by the Resolve aforesaid, on the westerly part of the first and second quarters of the township numbered four, purchased of the Indians on the west side of Penobscot river, under the direction of the Agent for the sale of eastern lands, in one body.—*Provided*, that they shall return a plan of said lands, with a copy of the field book, into the land office, within twelve months from the passing of this Resolve; and *provided also*, that all the conditions, in the aforesaid Resolve, passed the twenty-fourth day of January, A. D. 1815, originally granting said lands to said Johnson and others, shall be faithfully and substantially executed, according to the terms of said Resolve, excepting so far, as they are obliged by said former Resolve, to extend the lines of said location to Penobscot river.

CHAP. C.

Resolve appropriating $5,000 *for the expenses of the State Prison.* 26th January, 1816.

Resolved, That there be allowed and paid out of the public Treasury, for the use of the State Prison, the sum of five thousand dollars, to be drawn from the Treasury by the Warden of said Prison, in such sums as the Directors shall, from time to time direct; and his Excellency the Governor, with the advice of Council, is hereby requested to draw his warrants on the Treasurer for said sums accordingly.

CHAP. CI.

Resolve on the petition of Francis Brown and others. 26th January, 1816.

Resolved, For reasons set forth in the said petition, that Scarlet Hudson of Hingham, in the county of Plymouth,

Administrator on the estate of Nancy Stodder, widow of Daniel Stodder, and late of said Hingham, deceased, intestate, be, and he hereby is authorized to pay over agreeably to such distribution thereof as the Judge of Probate for said county of Plymouth shall deem conformable to law, to Sarah Whiton, widow, Thomas Stodder, Stephen Stodder, and Jonathan French, in the right of his wife, Elizabeth French, all of said Hingham, and Francis Brown, of Boston, in the county of Suffolk, in the right of his wife, Abigail Brown, being heirs at law of the said Daniel Stodder, deceased, all the money which shall be and remain in his hands, as Administrator aforesaid, on a settlement of his administration account in the said Probate Office; and the said Judge of Probate of the county of Plymouth is hereby authorized to approve and allow the final account of administration of said Scarlet Hudson, Administrator as aforesaid, which he may settle in said office, agreeable to this Resolve;—*Provided*, the said Sarah Whiton, Thomas Stodder, Stephen Stodder, Jonathan French and Francis Brown shall give bonds to the said Administrator to the approbation of said Judge of Probate, to repay the same sum, by them to be received as aforesaid, to the heirs of said Nancy Stodder, if any such heirs should hereafter appear to claim the same; which bond shall be by said Administrator filed in the Probate Office for said county of Plymouth.

CHAP. CII.

Resolve on the petition of Thomas Manning, of Ipswich, physician. 27th January, 1816.

On the petition of Thomas Manning, of Ipswich, in the county of Essex, physician,

Resolved, That the Committee of Accounts be authorized to examine the account of Thomas Manning, of Ipswich, in the county of Essex, physician, for medical aid, medicine, and attending to state paupers, and to allow the same or any part thereof, if they think proper, notwithstanding that the same is of more than two years standing, any Resolve to the contrary notwithstanding.

CHAP. CIII.

Resolve allowing $40 *to Isaac Pierce, of Orrington.* 27th January, 1816.

On the petition of Isaac Pierce, of Orrington, praying compensation for loss of time occasioned by a wound he received at Hampden, in September, 1814, while in the service of this Commonwealth,

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Isaac Pierce, of Orrington, an Ensign in Captain Ware's company of militia, the sum of forty dollars, in full for services, in addition to what has heretofore been allowed for expenses incurred by said Pierce, in consequence of receiving a wound in his thigh, in September, A. D. 1814, while acting under the orders of General Blake, at Hampden, in full for all services and expenses in relation to that subject.

CHAP. CIV.

Resolve on the petition of Jonathan G. Barnard, allowing him $166 66. 27th January, 1816.

On the petition of Jonathan G. Barnard, late a Clerk in the Treasurer's Office, praying for an allowance for extra services;

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the said Jonathan G. Barnard, the sum of one hundred sixty-six dollars, and sixty-six cents, so as to make his salary during the year ending on the first day of June last, equal to that of the other Clerk in said office, in full compensation for his extra services in consequence of the increased business of said office—and his Excellency the Governor, with the advice of Council, is requested to draw his warrant on the Treasury for the same.

CHAP. CV.

Resolve making valid the record of the proceedings of the town of Chesterville. 27th January, 1816.

On the petition of the Selectmen of the town of Chesterville, praying that the proceedings of said town, in relation to their town records, may be made valid;

Resolved, For reasons set forth in said petition, that the records of said town of Chesterville, in the cases specified in their said petition, shall be, and hereby are rendered valid in all respects, in the same manner as they would have been, if the warrants or notifications for calling town meetings, had been legally and correctly issued, published, returned and recorded, and the evidence of the qualifications of such officers had been duly and regularly entered on the records of the said town.

CHAP. CVI.

Resolve on the petition of Nathan Brooks, Administrator of the estate of Jonathan H. Davis. 27th January, 1816.

On the petition of Nathan Brooks, Administrator on the estate of Jonathan H. Davis, late of Concord, in the county of Middlesex, gentleman, deceased, intestate, shewing, that the said intestate was, in his life-time, seized and possessed in fee of one undivided moiety of a certain piece of land situated in said Concord, called the Stephen Jones' lot, and that for a valuable consideration to the said intestate's agent, paid by one Caleb Bates, the said intestate contracted to convey to said Bates, his right and title to said piece of land, but was prevented from making a deed of said land by death; and praying that said Administrator may be authorized to execute a conveyance of said land to said Bates;

Therefore resolved, For reasons set forth in said petition, that Nathan Brooks, of Concord, in the county of Middlesex, aforesaid, Administrator of the estate of Jonathan H. Davis, be, and he hereby is authorized and empowered to make and execute a deed of said above described premises

to the said Caleb Bates, his heirs and assigns forever, which shall be as valid and binding in law, as if the same had been made and executed by the intestate in his life-time.

CHAP. CVII.

Resolve allowing $50, *to David Whitcomb, of Sweden.* 27th January, 1816.

On the petition of David Whitcomb praying compensation for expenses incurred by reason of sickness, while he was detached as a soldier, for the defence of Portland, in September, 1814,

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, unto David Whitcomb, of Sweden, the sum of fifty dollars, in full for all claims he may have in relation to services and expenses, in consequence of such detachment.

CHAP. CVIII.

Resolve on the petition of Edward Brown, refunding him $400. 27th January, 1816.

On the petition of Edward Brown, praying to be reimbursed the sum of four hundred dollars, paid by him as the forfeiture of a recognizance of his surety, the same having been paid by the principal :

Resolved, For reasons set forth in said petition, that there be refunded and paid to Edward Brown, the sum of four hundred dollars, which was paid by him on the recognizance of Benjamin Felt, as his surety for the appearance of Benjamin Brown, a minor, the forfeiture of said recognizance having been paid by the petitioner as principal in the same ; and his Excellency the Governor, with the advice and consent of Council, is hereby authorized to draw his warrant on the Treasury for the same.

CHAP. CIX.

Resolve on the petition of Levi Moody, Collector of Taxes in Waldoborough. 27th January, 1816.

On the petition of Levi Moody, Collector of taxes for the town of Waldoborough, shewing, that in May last, he placed in the hands of Jacob Ludwig, jun. one of the Representatives in the General Court for said town of Waldoborough, the sum of thirty-three dollars, for the purpose of being paid into the Treasury of this State, as part of the taxes committed to him to collect; and that on the arrival of said Ludwig in Boston, on his way to the Treasurer's Office, in said month of May, his pocket book was stolen, containing the aforesaid sum, no part of which has ever been regained; and praying relief in this behalf:

Resolved, For reasons set forth in said petition, that the sum of thirty-three dollars, part of the State tax of the town of Waldoborough, for the year one thousand eight hundred and fourteen, be, and the same hereby is abated. And the Treasurer of this Commonwealth is hereby directed to credit the said Levi Moody with the said sum of thirty-three dollars on the books of his office, as and for the said abatement.

CHAP. CX.

Resolve on the petition of Cyrus Hamlin, who was a bondsman of D. Learned, late Sheriff of Oxford county. 27th January, 1816.

On the petition and representation of Cyrus Hamlin, one of the bondsmen of David Learned, late Sheriff of Oxford county,

Resolved, That the Treasurer of this Commonwealth be directed to stay process against the bondsmen of said Learned, for the balance now due from them, for the further term of six months, they paying interest thereon.

CHAP. CXI.

Resolve authorizing the Secretary to subscribe for 1000 *Maps of the District of Maine.* 27th January, 1816.

The Committee of both Houses, to whom was referred the petition of Moses Greenleaf, praying the aid of the Commonwealth, in publishing a Map and Statistical View of the District of Maine, find that the petitioner has with much labor and expense, prepared a Map of Maine, which contains many great improvements and corrections upon former Maps; and that it is on the whole as correct a Map, as in the present situation of Maine can be made or is necessary, and one which will be of essential service to the Commonwealth. They further find, that the Statistical View of Maine contains much valuable information relative to that section of the country, which it is important that the citizens of this Commonwealth should generally possess. They, therefore, ask leave to report the following Resolve :

N. CLEAVELAND, Per order.

Resolved, That the Secretary of this Commonwealth be, and he hereby is authorized and directed to subscribe for and purchase for the use of the several towns, plantations and public offices in this Commonwealth. one thousand copies of said Map and Statistical View : *Provided* he can obtain the same at a price not exceeding three dollars for each copy of said Map, and seventy-five cents for each copy of said Statistical View—and when the same shall be received into his office, he is directed to lay his account before the Governor, who is hereby requested to draw his warrant on the Treasurer for the payment thereof.

CHAP. CXII.

Resolve on the petition of a Committee of the Donation School in Hadley. 1st February, 1816.

On the petition of a Committee of the Donation School in the town of Hadley, praying that leave may be given to sell

certain lands in Hadley and Northampton, and invest the proceeds in meadow land in said Hadley:

Resolved, For reasons set forth in said petition, that the Trustees of the Hadley Donation School in the town of Hadley, be, and they hereby are authorized to sell and convey, and to execute and deliver, a good and sufficient deed or deeds of all their right and title to a lot of land in Hadley, containing about one acre and three quarters, and another lot in Northampton, containing about six acres; and to vest the proceeds of such sale in lands in the said town of Hadley, and to take good and sufficient deeds thereof, for the use of the said Hadley Donation School, which deeds, so executed, acknowledged and recorded, shall be deemed effectual in law to transfer the fee in said lands.

CHAP. CXIII.

Resolve providing for the payment of claims against the Commonwealth for military services liquidated by the late Board of War, and appointing an Agent to receive and adjust claims not yet considered. 1st February, 1816.

Whereas there are sundry claims duly liquidated by the late Board of War, against the Commonwealth, in favor of corporations and individuals, amounting to the sum of two thousand four hundred and eighty-four dollars, and sixty-one cents, for the payment of which no provision is made by law; and whereas there are sundry just claims against the Commonwealth for military services rendered and for supplies furnished during the late war with Great-Britain, which are unliquidated; and it is requisite that some mode should be adopted to expedite the adjustment of those of the latter description, and to provide for the payment of all—

Therefore resolved, That his Excellency the Governor, with advice of Council, be requested to issue his warrant on the Treasury for the sum of two thousand four hundred eighty four dollars, and sixty-one cents, payable to the following corporations and individuals in full for the several claims allowed as aforesaid, viz.

To the town of Ashburnham, the sum of - -	$20 62
To the town of Clinton, - - - - - - - -	248 20
To the town of Cornish, - - - - - - - -	18 80

To the town of Chester, - - - - - - - -	67	90
To the town of Porter, - - - - - - - -	47	16
To the town of Townsend, - - - - - - -	23	60
To the proprietors of Noddle's Island, in Boston harbour, - - - - - - - - -	1020	
To the proprietors of South Boston Bridge,	118	53
To the proprietors of the Middlefield Free Stone Company, - - - - - - - - -	5	
To Amasa Davis, Esq. Quarter-Master-General, for the use of Benjamin Clough, and ninety-two others, inhabitants of Massachusetts proper, whose names are contained in an abstract of sums due from the Commonwealth of Massachusetts for military services rendered, as certified by the Secretary of the late Board of War, - - - -	179	49
To Alford Richardson, Esq. Major-General of the 12th Division of the Militia of this Commonwealth, for the use of Samuel Acley, and 163 others, whose names are contained in an abstract of sums due from the Commonwealth of Massachusetts for military services rendered in the District of Maine, as certified by the late Secretary to the Board of War, - - - - - - - -	735	31
The whole making an aggregate of the sum, payable as aforesaid, of	$2184	61

And the said Alford Richardson shall cause notice to be given in two of the newspapers printed respectively in the town of Boston and town of Portland, that he is duly authorized to pay to the several persons, whose names are borne on the abstract aforesaid, the several sums to them respectively due, by publishing the said abstract with the sums against the names of the several persons borne thereon, as being to them severally due; and fixing the time and place for making such payments to such persons as are duly authorized to apply and receipt therefor. And the said Alford Richardson shall be entitled to receive the sum of thirty-five dollars, in full for all services which shall be rendered by virtue of this Resolve. And the said Quarter-Master-General is hereby directed to give notice to all persons, whose names are borne on the abstracts to him furnished, that he is ready to make payments of the several sums, to the persons

borne on the rolls to be furnished as aforesaid, by publishing the said abstracts, and fixing the time and place for making the payments aforesaid. And the said Alford Richardson, Major-General as aforesaid, shall take duplicate receipts of the several persons to whom they shall respectively make payment as aforesaid, one of which shall be furnished and delivered to the Agent hereby appointed. And the said Alford Richardson and Amasa Davis shall be held accountable for all monies by them respectively received.—And all monies remaining in either of their respective hands, unpaid, on the first day of June next, shall be returned into the Treasury of this Commonwealth.

And be it further resolved, That the Secretary and Treasurer of this Commonwealth be directed to deliver to the Agent, hereby appointed, all pay rolls, vouchers, accounts and papers, which remain in either of their respective offices, which in the opinion of said Agent will be necessary to elucidate, or to substantiate the claim of this Commonwealth against the United States, for expenses incurred during the late war, the said Agent leaving certified copies of all such papers as shall by the said Treasurer be considered as a necessary voucher for any sum of money which he has paid; and such copy, so certified, shall be considered and received as a sufficient voucher to the Treasurer, for any such payment.

And be it further resolved, That the Treasurer be, and he hereby is directed to pay over to the Quarter-Master-General of this Commonwealth, the sum of one hundred and seventy-five dollars, which remains due on five pay rolls, as follows, viz.

Colonel Oliver Shead's field and staff roll,
Captain Thomas George's company roll,
Captain James Keene's company roll,
Captain T. M. Perry's company roll,
And the roll of the guard under Sergeant Abijah Gregory.

All which rolls the said Treasurer has heretofore been authorized to pay, and which is the balance remaining unpaid on five warrants, dated twenty-fifth May, first March, twenty-fifth May, twenty fifth May, and twenty-eighth May, all in the year 1813. And the said Quarter-Master-General, and all other persons receiving money from the Treasury under this Resolve, shall give duplicate receipts therefor,

one of which shall be delivered to the Agent hereby appointed, as a voucher against the government of the United States.

And be it further resolved, That the Hon. Edward H. Robbins be, and he hereby is appointed and authorized to receive the unliquidated claims aforesaid, and make such liquidation thereof as may be conformable to the principles of settlement adopted by the late Board of War; and to add thereto the expenses that have been or may be incurred in carrying this Resolve and that of the fifteenth of June last into effect, and to make a report thereon from time to time to the present or the first session of the next General Court, to the end, that the same may be allowed and paid in the usual form, out of the Treasury of this Commonwealth.

And be it further resolved, That said Agent be, and he hereby is directed to cause an abstract to be made of the aggregate amount paid conformably to this, or any Resolve subsequent thereto—and to add the same to the account of this Commonwealth, made out against the United States, and deposited in the office of the Secretary of the Commonwealth on the fifteenth of July last, together with the proper vouchers and documents to support the same, under his signature, and to employ the late Secretary of the Board of War for all services necessary to the accomplishment of the duties herein pointed out, and make him a reasonable compensation therefor. And the said Agent is hereby empowered to finish and perfect any act of duty that was commenced by the late Board of War, under their legal authority, and which may now remain incomplete and unexecuted.

And be it further resolved, That his Excellency the Governor, with the advice of Council, be, and he hereby is authorized and requested to employ any person, or persons, he may think proper, to present, at such time as he may deem expedient, the claims of this Commonwealth against the United States for military services rendered and supplies furnished and expenses incurred during the late war with Great Britain, to such authority as may be appointed by the United States' government to receive, examine and allow the same. And his Excellency may draw his warrant upon the Treasury, in favor of the person or persons so appointed, for a reasonable sum to meet the expenses attending that service, said person, or persons, appointed as aforesaid, being accountable for the same.

CHAP. CXIV.

Resolve granting Taxes for several counties. 2d February, 1816.

Whereas the Treasurers of the following counties have laid their accounts before the Legislature, which accounts have been examined and allowed; and whereas the Clerks of the Courts of Sessions for said counties have exhibited estimates made by said Courts, of the necessary charges which may arise within the several counties for the year ensuing, and of the sums necessary to discharge the debts of the said counties:

Resolved, That the sums annexed to the several counties contained in the following schedule, be, and the same are hereby granted as a Tax, for each county, respectively, to be apportioned, assessed, paid, collected and applied, for the purposes aforesaid, according to law;

County of Hancock, five thousand dollars	$5000 00
Lincoln, six thousand two hundred and thirty-eight dollars	6238 00
Somerset, two thousand dollars	2000 00
Norfolk, five thousand dollars	5000 00
Middlesex, nineteen thousand six hundred dollars	19600 00
Barnstable, one thousand one hundred dollars	1100 00
Kennebeck, six thousand dollars	6000 00
Worcester, three thousand dollars	3000 00
Washington, one thousand six hundred and forty dollars	1640 00
Cumberland, nine thousand dollars	9000 00
Essex, seventeen thousand five hundred dollars	1750 00
Berkshire, fifteen thousand dollars	15000 00
Oxford, four thousand dollars	4000 00
Suffolk, twenty thousand dollars	20000 00
Bristol, six thousand dollars	6000 00

CHAP. CXV.

Resolve on the petition of S. Spring, directing the Attorney General to institute an inquest of office for settling the title to surplus lands in Prescott's Grant and in Baldwin. 2d February, 1816.

The Committee of both Houses, to whom was referred the petition of Seth Spring and others, praying for an inquest of office to investigate and settle the title to certain surplus lands purchased by them of the Commonwealth, in Prescott's Grants, (so called) and also in the town of Baldwin—respectfully report as follows:

W. P. WALKER, per order.

That Prescott's Grant has been surveyed by Lathrop Lewis, Esq. by order of the Legislature, and by his survey there has been found to be a surplus of about two hundred acres in said Grant, which has been also sold by order of the Legislature by the Land Agents; that the said petitioners were the purchasers, and have paid for the same the sum of six hundred dollars—and they do not find that the proprietors of said Grant object to such sale; They therefore are unanimously of opinion that said petitioners are entitled to the aid of the Legislature to obtain the possession of said surplus, the same being claimed by others. Your Committee further find, that the town of Baldwin has been surveyed by order of the Agents for the sale of Eastern lands, and that by such survey there was found to be a large surplus in said town, which has been sold by said Agents to said petitioners, but as this survey was ex parte, and the proprietors of Baldwin had no notice of the same, and there are evident errors in the same, your Committee are of opinion that the surplus in said town, if any, is not sufficiently ascertained to justify an inquest of office to be instituted against the proprietors, especially as the lines now claimed by them have been repeatedly recognized by the Legislature in various Acts and Resolves, and the whole town has been for more than thirty years allotted and divided among the proprietors; they,

therefore, are of opinion that the prayer of said petitioner as to the surplus land in the town of Baldwin, ought not to be granted.—They beg leave to submit the following Resolution:

Resolved, That the Attorney or Solicitor General be, and hereby is directed to institute an inquest of office or such other process in behalf of the Commonwealth, as he may think proper, to settle the title and revest the possession in the Commonwealth of the surplus lands in Prescott's Grant, in the town of Hiram, and county of Oxford.

CHAP. CXVI.

Resolve authorizing the discharge of Leonard Wheeler from prison in the county of Worcester. 2d February, 1816.

On the petition of Leonard Wheeler, of Hardwick, in the county of Worcester, representing, that he is now confined in the common gaol in the county of Worcester, at the suit of the Commonwealth, upon an execution which issued on a judgment rendered against him in an action of scire facias upon a recognizance for his personal appearance to testify as a witness before the Supreme Judicial Court, holden at Worcester, within and for the county of Worcester, at the April term, in the year of our Lord one thousand eight hundred and fourteen—that he was prevented by sickness from attending said Court, and afterwards, and at the time of sueing out the writ of scire facias against him, and of the judgment thereon, he was absent from the Commonwealth and deprived of the opportunity of defending against the action, or applying during its pendency to the Court, for a relief from the penalty of his said recognizance;

Resolved, That the keeper of the Commonwealth's gaol, in the county of Worcester, be, and he hereby is authorized and directed forthwith to discharge from imprisonment the said Leonard Wheeler—*Provided, however*, that he stands committed for no other cause than the execution at the suit of the Commonwealth, as aforesaid.

CHAP. CXVII.

Resolve authorizing the Governor to appoint Commissioners to ascertain the claims of Nathan Bourne, in the plantation of Marshpee. 3d February, 1816.

On the petition of Nathan Bourne, of Sandwich, in the county of Barnstable,

Resolved, For reasons set forth in said petition, that the Governor, with the advice of Council, be, and he is hereby authorized to appoint three disinterested men, as Commissioners, who, at the expense of said Bourne, the petitioner, shall repair to the plantation of Marshpee, in the county of Barnstable, and ascertain the claims, privileges, rights and easements of said Bourne, in said plantation, and set off and assign by metes and bounds such portion of property in said plantation as shall be deemed by them an equivalent for the claims and privileges, rights and easements possessed by said Bourne in the plantation aforesaid; and said Commissioners are hereby authorized to make and execute to said Bourne, his heirs and assigns, a good and sufficient deed of the lands so assigned as aforesaid; provided said Bourne shall execute a deed of quit claim of all his rights, easements and privileges possessed by himself, or derived to him from his ancestors in said plantation, which deeds shall be considered valid in law to complete the title in the premises; and the Commissioners aforesaid may likewise consider any claims said plantation may have against said Bourne.

CHAP. CXVIII.

Resolve on the petition of Lemuel Corbin, Guardian to the Dudley Indians. 3d February, 1816.

On the petition of Lemuel Corbin, requesting to be discharged from his trust as one of the Guardians of the Dudley Indians, so called, and the said Indians praying that the said Lemuel Corbin and John Healy, their Guardians, may be discharged from said trust,

Resolved, That the said Lemuel Corbin, for reasons set

forth in his petition, and the said John Healy, on account of his living at such a distance from the Indian settlement, as renders it difficult for him to discharge the duties of his office, be, and hereby are discharged from said trust, from and after the first day of May next; and William Robinson be, and hereby is appointed Guardian to said Indians in the room of the said Lemuel Corbin and John Healy; and the said William Robinson is hereby vested with the full powers and authority, which have been heretofore vested in the Guardians of the Dudley Indians, and to be in the same manner accountable to this Court. The said William Robinson shall each and every year, in the month of May, exhibit and lay his accounts for articles delivered or services performed for said Dudley Indians before the Selectmen of the town of Dudley for the time being, whose duty it shall be to examine and certify their opinion on said accounts, whether the whole or what part thereof ought to be allowed; which account and certificate shall be presented to the Committee on Accounts for allowance, as other accounts are for services performed for the Commonwealth, any Law or Resolve to the contrary notwithstanding.

CHAP. CXIX.

Resolve on the petition of the Selectmen of Plymouth, granting further time to locate a township of land.
3d February, 1816.

On the petition of the Selectmen of the town of Plymouth, for and in behalf of said town, praying for a further time to locate the last township of land granted them, on the 24th of February, A. D. 1808:

Resolved, For reasons set forth in said petition, that a further time of five years be, and hereby is allowed to the inhabitants of said town of Plymouth, to locate said township; and the Agents for the sale of Eastern lands are hereby directed to govern themselves accordingly, any thing in the said Resolve granting said Township to the contrary notwithstanding.

CHAP. CXX.

Resolve on the petition of Solomon Smead, Esq. to refund him a bill of costs. 3d February, 1816.

On the petition of Hon. Solomon Smead, Esq. praying that a bill of costs paid by him to the sheriff of the county of Franklin might be refunded to him,

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth to the said Smead, the sum of fourteen dollars and sixty-three cents, being the sum by him paid as aforesaid—and that his Excellency the Governor be requested to grant a warrant on the Treasury accordingly.

CHAP. CXXI.

Resolve on the petition of Grosvenor Tarbell, making valid his affidavit. 5th February, 1816.

On the petition of Grosvenor Tarbell, of Lincoln, in the county of Middlesex, Esq. Administrator of the estate of John Leary, late of Lincoln, in the county of Middlesex, mariner, deceased, intestate, praying that the affidavit by him made in the Probate Court in and for the county of Middlesex on the thirtieth day of January, A. D. 1816, of his proceedings relating to the sale of the whole of said deceased's real estate, and now recorded with a copy of each of the notifications of the time and place of said sale, in the Registry of Probate, in and for said county of Middlesex, may be declared admissible evidence of said sale and of his proceedings relating thereto, although not made within eighteen months after the day of said sale, as the law requires:

Resolved, That the prayer of the petition be granted, and that said affidavit, including a copy of each of said notifications and recorded as above mentioned, or an attested copy thereof, shall be admissible evidence of said sale, and of said Administrator's proceedings relative thereto, and that it shall be valid and have the same force and effect in law as if it had been made within eighteen months after the day of said sale, any law, usage or custom to the contrary notwithstanding.

CHAP. CXXII.

Resolve on the petition of Nathaniel Shaw, granting him $50. 5th February, 1816.

On the petition of Nathaniel Shaw, praying an allowance for being wounded while doing military duty:

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth unto Nathaniel Shaw, the sum of fifty dollars, on account of expenses and loss of time occasioned by a wound he received while doing military duty at a brigade muster, on the 27th of September last, and in full for the same.

CHAP. CXXIII.

Resolve allowing the President and Trustees of Williams' College, further time to locate a township of land granted them by a Resolve of February 20th, 1809. 5th February, 1816.

On the petition of the President and Trustees of Williams' College, praying a further time to locate a tract or township of land granted them by a Resolve dated February 20th, 1809,

Resolved, That for reasons set forth in said petition, a further time of five years, from and after the passing of this Resolve, be, and hereby is allowed to said President and Trustees to locate said tract or township of land: And the Agents for the sale of Eastern lands are hereby directed to govern themselves accordingly, any thing in any Resolve to the contrary notwithstanding.

CHAP. CXXIV.

Resolve authorizing the Governor to appoint a Committee to contract with the Commissioners who are to explore a rout for a canal from Connecticut to Merrimack river. 5th February, 1816.

Resolved, That his Excellency the Governor, with the advice of the Council, be authorized to appoint three per-

sons in behalf of the Commonwealth, to make such contract as they shall think just and reasonable with the Commissioners appointed to explore and survey a rout for a water communication between Connecticut river and the Merrimack river, by virtue of a Resolve passed January 21st, 1816, for their services and expenses, so as to fix the amount of the same beforehand, as far as may be possible, and to settle and liquidate all accounts of said Commissioners and those persons employed by them in said survey.

CHAP. CXXV.

Resolve granting a pension to John Blaisdell.
5th February, 1816.

On the petition of John Blaisdell, 3d, praying an allowance for having been wounded when called out for the defence of Newburyport:

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, unto John Blaisdell, 3d, the sum of twenty-five dollars per year, for five years, in consequence of his having lost the use of his hand while doing duty in the detached militia.

CHAP. CXXVI.

Resolve on the petition of John Chamberlain and Albert Smith, Sureties of the late Treasurer Skinner.
5th February, 1816.

Resolved, That the keeper of the gaol in Lenox, in the county of Berkshire is hereby authorized and directed to set at liberty John Chamberlain, Jun. of Dalton, in said county, whenever he the said John shall surrender himself to said gaol keeper, upon a bond given by him to the Commonwealth on the twenty-second day of June last, according to the provisions of a Resolve, passed on the fifteenth day of June last; provided he the said John shall give bond to the Commonwealth, in the same sum and sureties and approved in the same manner he would be required to do, were he to be admitted to the liberties of said gaol, on the warrant of dis-

tress in favor of the Commonwealth, on which he has been heretofore committed, conditioned that he the said John Chamberlain, Jun. shall surrender himself to the keeper of said gaol on or before the first day of August next, and remain a true prisoner on the original commitment, as if he had not been set at liberty by virtue of this Resolve, unless the said John shall be otherwise legally discharged.

And be it further resolved, That the keeper of said gaol is hereby directed to receive the said John into his custody, upon his surrendering himself as aforesaid, and conduct with him in the same way as he would do, if he were then committed by the proper officer, on the warrant of distress aforesaid.

And be it further resolved, That the body of Albert Smith, one of the sureties of the late Treasurer Skinner, shall not be arrested on the warrant of distress in favor of the Commonwealth against him until the first day of August next.

CHAP. CXXVII.

Resolve granting Jane Baker sixty dollars. 5th February, 1816.

On the petition of Jane Baker, praying an allowance, in consequence of losing her husband while doing military duty at Bath, on the 12th September, A. D. 1814,

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, unto Jane Baker, widow of the late Daniel Baker, of Topsham, a Lieutenant in a company of cavalry, the sum of sixty dollars for funeral and other expenses, and an annuity of fifty dollars per year, for the term of four years, for the use of the said widow and her two children.

CHAP. CXXVIII.

Resolve on the petition of Ebenezer Breed, Jr. making valid his affidavit. 5th February, 1816.

On the petition of Ebenezer Breed, Jr. of Charlestown,

in the county of Middlesex, merchant, Administrator on the estate of David Woodward, late of said Charlestown, mariner, deceased, intestate, stating that he, with one Abner Rogers, late of said Charlestown, deceased, took upon themselves that trust by giving bonds as the law requires, on the twenty-first day of September, 1813, and on the twenty-fifth day of December, 1813, posted notifications thereof in public places in said Charlestown, and printed a like notification three weeks successively, beginning on the eighth day of January, A. D. 1814, as directed by the Judge of Probate of said county; and on the thirteenth day of January, 1815, said Breed caused his affidavit of his proceedings and a true copy of one of said notifications to be recorded in the Probate Office in said county, but was unavoidably prevented from causing such affidavit with such copy of such notification to be recorded in said office within seven months as the law in such cases requires:

Resolved, For reasons set forth in said petition, that an attested copy of said Breed's affidavit, recorded as aforesaid, taken from the records of said Probate Office, shall be admitted in evidence in any court, as fully as if said affidavit had been recorded in said Probate Office within seven months from the time the said Breed and Rogers took upon themselves the said trust, any law or usage to the contrary notwithstanding.

CHAP. CXXIX.

Resolve on the petition of the Trustees of Belfast and Phillips Limerick Academies, granting them further time to complete settlements on lands granted them. 5th February, 1816.

Resolved, For reasons set forth in said petition, that a further time of one year from the first day of June next be, and hereby is allowed to the Trustees of Belfast Academy, or their assigns, to complete the settlement of ten families on the half township granted them, and to the Trustees of Phillips Limerick Academy, or their assign, to complete the settlement of ten families on the grant of half a township of land made to them; *Provided*, that the Trustees of Belfast Academy, and the Trustees of Phillips Limerick Acad-

emy, shall severally, in their corporate capacity, cause bonds to be given to the Treasurer of this Commonwealth, with sufficient surety or sureties, to the satisfaction of the Agent for the sale of Eastern lands, for the sum of six hundred dollars each, conditioned that there shall be settled on each of their grants the number of settlers required by their deeds, within the time extended as aforesaid; or for the payment of thirty dollars for each family which shall then be deficient of the whole number aforesaid. Upon satisfaction of which bonds, given pursuant to this resolve, either by causing the said number of families to be settled on said grants within the time aforesaid, or by paying the sum of thirty dollars for each family which shall then be deficient, then the estate, right and title of said grantees shall be valid, full and effectual, to all intents and purposes, as if the conditions of settlement expressed in the original deeds of said grants, had been fully and seasonably complied with.

CHAP. CXXX.

Resolve on the petition of Edward Mitchell, Junior, allowing him the expenses of a suit for recovering Indian lands. 5th February, 1816.

On the petition of Edward Mitchell, Junior, of Bridgewater, in the county of Plymouth, praying for allowance and remuneration, for his trouble and expenses incurred in defending an action of ejectment brought by one Sarah Dunbar against him to recover possession of certain Indian land, so called, in Bridgewater, over which he was appointed Guardian by the Legislature of this Commonwealth;

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth to said Edward Mitchell, Jun. the sum of one hundred and seventy-eight dollars and sixty-five cents in full compensation for expenses incurred by him, as mentioned in his said petition: And his Excellency the Governor, with the advice of Council, is hereby requested to draw his warrant on the Treasurer for said sum accordingly.

CHAP. CXXXI.

Resolve directing the Quarter-Master-General to deliver hospital articles to the Board of Health in Boston. 6th February, 1816.

On the petition of the Boston Board of Health,

Resolved, That the Quarter-Master-General be directed to deliver to the order of the said Board, the articles of bedding, medicines and hospital furniture, which were placed under his care, at the late disbanding of the troops of this Commonwealth, an inventory of the same to be delivered to the Physician of the said Board, who is to be accountable for the same.

CHAP. CXXXII.

Resolve on the petition of Thomas Williams, authorizing the Attorney or Solicitor-General to fix the bounds between land of the State and his lands in Roxbury. 6th February, 1816.

Resolved, That the Attorney or Solicitor-General is hereby appointed and authorized to ascertain and agree with the said Thomas Williams upon any line or lines (in dispute) between the Commonwealth's land lying in said Roxbury, and land of the said Williams, and establish suitable and durable monuments:—*Provided*, however, that in case he should not be able to agree with the said Williams where to erect said monuments, the said Attorney or Solicitor-General is further authorized to agree with the said Williams, to refer the subject to three suitable men to establish said monuments, and when established the said Attorney or Solicitor-General will procure an accurate description of said land, stating the courses, distances and monuments, and deposit the same in the office of the Quarter-Master-General: And the said Attorney or Solicitor-General is hereby authorized and required to make such agreements, contracts and covenants, and to execute and pass such deeds as shall be found necessary for establishing the boundaries to the perfecting the title of the Commonwealth in their land and premises aforesaid.

CHAP. CXXXIII.

Resolve directing the Committee on Accounts not to receive accounts after certain times. 6th February 1816.

Resolved, That the Committee that may hereafter be appointed to examine and allow accounts against the Commonwealth, are hereby directed to receive no accounts for examination and allowance after the second Wednesday of each May session, and the fourth Wednesday of each winter session of the Legislature of each succeeding year : *Provided however*, That said Committee are to consider the accounts of the Messengers to the Governor and Council, and to the two Houses, and their assistants, also the accounts of the printers within the town of Boston, as not coming within said limitation.

Resolved, That the Secretary cause the foregoing resolve to be published in so many of the newspapers, as he shall judge necessary to give it general publicity; and a reasonable allowance to be made for publishing, by the Committee on accounts.

CHAP. CXXXIV.

Resolve authorizing the Quarter-Master-General to sell the Powder House in Charlestown, and erect another Magazine. 6th February, 1816.

Whereas the Powder Magazine situated in Charlestown, in the County of Middlesex, is insufficient and unsafe, not having been constructed originally for the purpose of keeping powder,

Therefore, resolved, That the Quarter-Master-General be, and he hereby is authorized and empowered, under the direction of his Excellency the Governor, to sell and dispose of the said Powder House and the land whereon the same stands, and any lands adjoining the same, or of whatever rights or interest the Commonwealth may have in and to the same, and account with the Treasurer of the Commonwealth for the proceeds of such sales—and, further, to purchase, for the use of the Commonwealth, a suitable plat of

ground, either in Charlestown aforesaid, or in the town of Cambridge, in said county, and cause to be erected thereon, a sufficient and secure Magazine, for the safe deposit and keeping of the powder belonging to the Commonwealth, and of such quantities of powder imported, landed or brought into the town of Boston, which by law is to be kept in a public Magazine, and which it may be convenient to deposit in said Magazine. And his Excellency the Governor, by and with advice and consent of Council, is hereby authorized and empowered to issue his warrant to the Treasurer of the Commonwealth, for such sum or sums of money as may be necessary to carry the aforegoing resolve into effect.

And be it further resolved, That his Excellency the Governor and Council, be and they hereby are authorized and empowered to appoint a keeper or keepers of the said Magazine, under such rules and regulations as they may think fit to prescribe.

And be it further resolved, That the Quarter-Master be and he hereby is authorized to remove from the present powder Magazine, all the powder therein, as soon as another suitable Magazine shall be provided.

CHAP. CXXXV.

Resolve granting Richard Young 40 acres of Land.
6th February, 1816.

Whereas, on the petition of Richard Young, of Sanford, in the county of York, a resolve was passed, on the twenty-third of February, A. D. 1814, authorizing the Agents for the sale of Eastern lands to convey to said Young, a certain tract of land, containing forty acres, more or less, within the bounds mentioned in said resolve. And whereas it appears by an actual survey, that there are upwards of one hundred acres within said bounds,

Therefore resolved, That the following tract of land, containing forty acres and twenty-three rods, and bounded as follows, to wit—beginning at a pond by land of the Commonwealth, thence north east one hundred and sixty-two rods to Shapleigh line; thence east on said line sixty-two rods to a stake; thence south east one hundred and fifty-nine rods to the pond; thence by the pond to the place of beginning; not

to include any right or claim of any other person, be granted to the said Richard Young, his heirs and assigns forever.

And be it further Resolved, That the Hon. John Holmes be authorized to sell and convey the residue of the land belonging to the Commonwealth adjoining said grant to said Young, and to return the proceeds thereof with an account of his doings to the Treasurer of this Commonwealth, as soon as may be.

CHAP. CXXXVI.

Resolve authorizing the Agent on Eastern Lands and a Committee of Council, to determine the allowance which should be made towards discharging the bond of John Richards and others. 6th February, 1816.

Resolved, That the Agent for the sale of Eastern Lands, together with any Committee of Council, to be appointed in virtue of a resolve of the Legislature, passed the ninth day of June, A. D. 1814, be, and hereby are authorized to ascertain and determine, from time to time, the allowance which ought to be made towards discharging the condition of the bonds given by John Richards and others to this Commonwealth, pursuant to a resolve passed on the 10th day of June, 1813, for settlers placed on the lands mentioned in said bond, conformably to the condition thereof, and the certificate of said Agent and Committee shall be sufficient evidence to authorize the Treasurer to endorse such allowance upon said bonds towards discharging the same.

CHAP. CXXXVII.

Resolve discharging the Quarter-Master-General, of monies expended in his department, and for paying the balance of his account. 6th February, 1816.

Resolved, That Amasa Davis, Esq. Quarter-Master-General, be, and he hereby is discharged from the sum of ten thousand dollars, being the sum he has received the year past, by warrants on the Treasurer.

Resolved, That the sum of three thousand five hundred and eighty-nine dollars and twenty-two cents be paid to the said Amasa Davis, Esq. from the Treasury of this Commonwealth, as the balance of his account for money expended in his department the year past, including seventeen hundred dollars for his salary for one year ending on the seventeenth day of January, A. D. 1816.

Resolved, That the sum of twelve thousand dollars be paid to the Quarter-Master-General from the Treasury of this Commonwealth, to meet the expenses of his department the ensuing year, for the application of which said Quarter-Master-General is to be accountable, and his Excellency the Governor is requested to issue his warrant on the Treasury for the amount, in such sums and at such periods, as his Excellency, with the advice of Council may deem expedient for the public service.

CHAP. CXXXVIII.

Resolve authorizing Azubah R. Stacy and others to execute a deed to Rufus Scott. 6th February, 1816.

On the petition of Azubah R. Stacy and others, praying that the Administrators on the estate of Gilbert Stacy, late of Gill, in the county of Franklin, deceased, may be empowered on their part, to execute a deed of twenty-seven acres of land in Gill, which the said Gilbert, in his lifetime, contracted to do by an instrument not under seal, but was prevented by death.

Therefore resolved, For reasons set forth in said petition, that Rufus Stratton and Azubah R. Stacy, Administrators on the estate of Gilbert Stacy, Esq. be, and they hereby are empowered to execute a good and sufficient deed of conveyance to Rufus Scott, of Gill, of twenty-seven acres of land in Gill, aforesaid; bounded north on the road leading from Gill meeting-house to Greenfield; west on land of Samuel Pierce; north on land of Daniel Temple; east on land of Jeremiah Ballard, containing twenty-seven acres; agreeable to a contract entered into by the said Gilbert Stacy in his lifetime: And the said deed, so made and executed, shall be good and valid in law, to convey all the right and interest which the heirs at law of said Gilbert may have in said

land, as fully as if the said deed had been executed by the said Gilbert in his lifetime.

CHAP. CXXXIX.

Resolve authorizing R. Stratton and Azubah R. Stacy to execute a deed to Samuel Janes. 7th February, 1816.

On the petition of Samuel Janes, praying that the Administrators of the estate of Gilbert Stacy, late of Gill, in the county of Franklin, deceased, may be empowered to execute a deed of thirty acres of land in Gill, which the said Gilbert, in his lifetime contracted to do, by instrument not under seal, but was prevented by death :

Resolved, For reasons set forth in said petition, that Rufus Stratton and Azubah R. Stacy, Administrators of the estate of Gilbert Stacy, Esq. be, and they are hereby empowered to execute a good and sufficient deed of conveyance to Samuel Janes, of Gill, of thirty acres of land in Gill, aforesaid, agreeable to a contract entered into by the said Gilbert Stacy, in his lifetime ; and the said deed, so made and executed, shall be good and valid in law to convey all the right and interest, which the heirs at law of the said Gilbert may have in said land, as fully as if the said deed had been executed by the said Gilbert in his lifetime.

CHAP. CXL.

Resolve on the petition of Rebecca Jennison and Silas Brooks, Administrators on the estate of Samuel Jennison. 7th February, 1816.

On the petition of Rebecca Jennison and Silas Brooks, both of Worcester, in the county of Worcester, Administrators, with the will annexed, on the estate of Samuel Jennison, late of said Worcester, deceased, representing that the said Samuel Jennison, in his lifetime, and on the fifth day of November, A. D. 1811, made and executed an absolute deed of conveyance, of about one hundred and forty acres of land, lying within the towns of Worcester and Shrewsbury, in the

county of Worcester, with the buildings thereon ; and particularly described in said deed, to David Curtis and Nathaniel Curtis, both of the same Worcester, for their security and indemnity from a certain bond, which they, on the same day, made and executed jointly with the said Samuel Jennison and one William Caldwell, to Daniel Waldo, Esq. for the payment of the sum of three thousand dollars and interest, the proper debt of the said Samuel Jennison and William Caldwell, and on and for no other consideration ; that the said David Curtis and Nathaniel Curtis were to have executed to said Jennison, an obligation for the reconveyance of said estate, upon the payment by him and said Caldwell, of the bond aforesaid ; that the said Nathaniel Curtis has executed, on his part, such obligation ; but the said David Curtis is prevented therefrom by death, and has left only heirs, who are minors, incompetent by law to the execution of any contract ; and praying that the Hon. Benjamin Heywood, Esq. Administrator on the estate of said David Curtis, may be authorized and empowered, whenever said estate shall be exonerated and indemnified for said bond, to execute a quit claim deed for the benefit of the estate of said Jennison, of all the right which by the deed first aforesaid, the said David Curtis had in the estate described therein ; and the said Administrator on said David Curtis' estate, the Guardian of all the minor children, and the widow of said David Curtis, having certified their assent to the truth of said representation and to the prayer of the said petition :

Therefore be it resolved, That Benjamin Heywood, Esq. Administrator on the estate of the aforesaid David Curtis, be, and he is hereby authorized and empowered, whenever the estate of said Curtis shall be wholly exonerated and indemnified from the bond aforementioned, and from all damage and cost thereby, to make and execute to the said Rebecca Jennison and SilasBrooks, Administrators on the estate of the aforenamed Samuel Jennison, deceased, for the benefit of said estate, and the heirs, devisees or legatees of said Samuel Jennison, a deed of quit claim of all the right title and interest, which the said David Curtis or his legal representatives had, or may now have, in the estate conveyed to him and the said Nathaniel Curtis by the deed of the said Samuel Jennison aforesaid ; which said deed of quit claim, when executed by the said Benjamin Heywood, to the said Rebecca Jennison and Silas Brooks, Administrators as aforesaid, shall have the

same effect and no other, as though the said estate had been originally mortgaged to the said David Curtis, and redeemed by the said Rebecca Jennison and Silas Brooks, in the due course of their administration on the estate of said Samuel Jennison.

CHAP. CXLI.

Resolve on the petition of Selah Chapin, jun. authorizing Caleb Goodwin to execute a deed. 7th February, 1816.

On the petition of Selah Chapin, jun. of Leyden, in the county of Franklin, stating, that Selah Chapin, the father of the petitioner, on the twenty-third day of January, in the year of our Lord one thousand seven hundred and ninety-nine, conveyed two certain pieces or parcels of land lying in Leyden, aforesaid, containing about sixty-four acres, to Aaron Olmstead, of East Hartford, in the county of Hartford, and State of Connecticut, to secure the payment of a certain sum of money then due from the said Selah, the father of the said Aaron; and that the said Aaron at the same time executed a certain writing to the said Selah, promising to reconvey said land upon payment of the money; that the said Selah, the father, afterwards assigned all his right in said land to the petitioner, who hath paid to the Executor of the last will and testament of the said Olmstead, all the money which is due from said Selah, and praying that Caleb Goodwin, of said Hartford, may be authorized and empowered to release all the right which the said Aaron Olmstead acquired by virtue of the deed aforesaid:

Resolved, For reasons set forth in said petition, that Caleb Goodwin, of the city and county of Hartford, and state of Connecticut, Executor of the last will and testament of Aaron Olmstead, late of East Hartford, deceased, be, and he hereby is authorized and empowered to make and execute to Selah Chapin, jun. of Leyden, in the county of Franklin, a good and sufficient deed of release of all the right, title and interest, which the said Aaron acquired to two certain pieces of land, lying in Leyden, aforesaid, containing about sixty-four acres, under and by virtue of a certain deed from Selah Chapin, to the said Aaron, bearing date the twen-

ty-third day of January, one thousand seven hundred and ninety-nine; which deed, so made and executed by the said Caleb, shall be good and valid in law to convey all the right and interest which the heirs at law of the said Olmstead, or any other person, may have in said lands, as fully as if the said deed of release had been executed by the said Olmstead in his lifetime.

CHAP. CXLII.

Resolve authorizing Stephen Codman to execute a deed of land in Monmouth. 8th February, 1816.

On the petition of Stephen Codman, of Boston, in the county of Suffolk, Executor of the last will and testament of John Codman, late of said Boston, Esquire, deceased, praying that he may be authorized by the Legislature, to convey by deed, to James F. Norris, Adnai Loomis, John Safford and Gilman Thurston, the right and title of the said John Codman to a tract of land in the town of Monmouth, in the county of Kennebeck, agreeable to a contract for that purpose entered into by the said John Codman, in his lifetime, with the said Norris, Loomis, Safford and Thurston, dated the first day of February, A. D. 1802:

Resolved, For reasons set forth in said petition, that the said Stephen Codman, Executor, as aforesaid, be, and he hereby is authorized and empowered to execute and deliver a good and sufficient deed to the said Norris, Loomis, Safford and Thurston, or to any or either of them, for the conveyance in fee simple, of all the right and title, which the said John Codman had, at his decease, in and to a certain tract of land, situated in the town of Monmouth, in the county of Kennebeck, being the three hundred acre lot, which the said John Codman purchased of Henry Dearborn, as by his deed, dated August 28th, 1789, and recorded in the county of Lincoln, lib. 23, folio 153, will more fully appear, and that such deed of conveyance shall have the same force and effect, as if made by the said John in his lifetime, in pursuance of said contract.

CHAP. CXLIII.

Resolves on the petitions of the towns of Lynn, Georgetown and Canaan, abating their taxes. 8th February, 1816.

On the several petitions of the towns of Lynn, Georgetown and Canaan:

Whereas it has been mutually agreed between the towns of Lynn and Saugus, that one fourth part of the tax assessed upon the town of Lynn for the last year, ought to be paid by the town of Saugus:

Therefore resolved, That the sum of two hundred thirty one dollars, thirty-three cents, being one fourth part of the tax assessed upon the town of Lynn the last year be deducted from the just apportionment of the tax for the present year, to be assessed upon the town of Lynn, and that the aforesaid sum of two hundred thirty-one dollars, thirty-three cents be added to the just apportionment of the tax for the present year, to be assessed upon the town of Saugus.

And whereas the sum of one hundred sixteen dollars, thirty-two cents more than their just proportion of the tax for the last year was assessed upon the town of Georgetown, which ought to have been assessed upon the town of Phipsburg:

Therefore resolved, That the sum of one hundred sixteen dollars, thirty-two cents be deducted from the just apportionment of the tax for the present year to be assessed upon the town of Georgetown, and added to the tax to be assessed on the town of Phipsburg.

And whereas the sum of forty-three dollars, sixty-one cents more than their just proportion of the tax for the last year was assessed upon the town of Canaan, which ought to have been assessed upon the town of Bloomfield;

Therefore resolved, That the sum of forty-three dollars, sixty-one cents be deducted from the just apportionment of the tax for the present year, to be assessed upon the town of Canaan and added to the sum to be assessed upon the town of Bloomfield.

CHAP. CXLIV

Resolve granting Gideon Beaman sixty dollars for expenses in arresting and prosecuting Reuben Blackman. 8th February, 1816.

On the petition of Gideon Beaman, of Princetown, in the county of Worcester, representing that in the year 1813, Reuben Blackman was apprehended upon the complaint of said petition, for passing counterfeit Bank Bills of the State of New-York; that the said Reuben, was examined before a Justice of the Peace, and ordered to recognise for his appearance before the Supreme Judicial Court, for the county of Hampshire; that at the September term of the said Court, in 1813, a bill of indictment was found against the said Blackman, and at his motion was continued to the next April term for trial, when the said Blackman neglected to appear, and forfeited his recognisance; that the sureties of the said Blackman have already paid to the Commonwealth seven hundred dollars, and judgment is rendered against one of them for three hundred dollars more; that the petitioner was put to great trouble and expense in prosecuting the said Blackman, besides the total loss of the money which he received of said Blackman, and praying for some remuneration in this behalf:

Therefore resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth unto Gideon Beaman, of Princetown, in the county of Worcester, the sum of sixty dollars for his trouble and expences in arresting and prosecuting Reuben Blackman for the crime of passing Counterfeit Bank Bills.

CHAP. CXLV.

Resolve granting taxes for the counties of York, Hampden, and Hampshire. 8th February, 1816.

Whereas the Treasurers of the following named counties have laid their accounts before the Legislature, which accounts have been examined and allowed; and whereas the

Clerks of the Courts of Sessions for said counties have exhibited estimates, made by said Courts, of the necessary charges which may arise within the several counties for the year ensuing; and of the sums necessary to discharge the debts of the said counties,

Resolved, That the sums annexed to the names of the several counties, contained in the following schedule, be, and the same are hereby granted as a tax, for each county respectively, to be apportioned, assessed, paid, collected and applied, for the purposes aforesaid, according to law:

County of York, five thousand five hundred dollars, $5500
Hampden, seven thousand dollars, 7000
Hampshire, three thousand five hundred dollars, 3500

CHAP. CXLVI.

Resolve granting a tax for the county of Franklin.
8th February, 1816.

On the representation of the Committee on county estimates, stating, that the estimate for the county taxes for the county of Franklin, are not accompanied with the Treasurer's account for said county, and as great inconvenience may arise if no taxes are authorized for the present year;

Resolved, That the estimate made by the Circuit Court of Common Pleas, for the county of Franklin, in September, 1815, and amounting to three thousand two hundred dollars, for the present year, be, and is hereby granted as a tax for said county; the said sum to be apportioned, assessed, paid, collected, and applied for the purposes aforesaid, according to law.

And be it further resolved, That the Treasurer of said county be, and hereby is required and directed to present his accounts to the General Court at their next session.

CHAP. CXLVII.

Resolve for the payment of claims allowed at the War Office.
8th February, 1816.

Schedule of claims against the Commonwealth, of Massachusetts, allowed at the War-Office, February 8th, 1816.

No. 1 Captain Butman's company, pay roll, third regiment, first brigade, tenth division,	109	90
2 Town of Dedham for transportation,	7	
3 " " Putnam do. and supplies,	258	56
4 Ebenezer Chase's account damages land at Edgecomb,	28	
5 Captain Nealy's company pay roll, third regiment, first brigade, tenth division,	136	
6 Captain Thayer's company pay roll, third regiment, first brigade, tenth division,	112	25
7 Town of Shapleigh, supplies and transportation	45	54
8 Reverend Joshua Soule, chaplain, second regiment, first brigade, thirteenth division,	23	
9 Town of Sanford, supplies and transportation,	25	25
10 George Bird and James Witherell's account carting stone to Savin Hill,	10	
11 Town of Newfield, supplies and transportation,	24	10
12 Joshua Damon, barrack hire, Wiscasset, (orders)	5	
13 Benjamin Eells, paymaster, second regiment, first brigade, tenth division,	29	73
14 John Smith, nursing a sick soldier, &c.	5	67
15 John Deluce, rent of buildings for quarters for troops,	32	67
16 James Kirby, work on guard-house in Cushing,	6	
17 Henry Smith, jun. for ferriage	22	50
18 Margaret Whittmore, use and damage of land at Gloucester,	50	
19 Captain Thomas Swift's company pay roll, first regiment, third brigade, fifth division,	294	

20 Captain Obed B. Nye, for the four following pay rolls:			
In the first regiment, third brigade, fifth division, viz:			
Captain Obed B. Nye,	588 49		
Lieutenant Edward Nye,	85 70		
Lieutenant Nathan B. Gibbs,	280 44	1275	61
Captain Benjamin Hamlin,	320 98		
No. 21 Allowed to Thomas Fish, Jun. for the nine following pay rolls, amounting to		1712	27
For Lieutenant-Colonel Nye's field and staff roll, first regiment, third brigade, fifth division,		118	76
For Lieutenant James Fish, jun. pay roll, Captain Parker's company, same regiment, October 7th to 15th		274	95
For Captain Parker's company pay roll, same regiment,		121	
For Lientenant J. Fish, junior's pay roll, same regiment, October 3d to 7th,		95	41
For Captain Seth Hamlin's company pay roll, same regiment,		712	50
For Captain W. Jenkins' company pay roll, Artillery, third brigade, fifth division, October 7th to 15th, 1814,		175	01
For same Company, June 13th to 18th, 1814,		81	73
Same Company, January 28th to 31st, 1814,		63	20
Same Company, October 3d to 7th, 1814,		69	71
		1712	27
No. 22 Allowed Nathaniel Jenkins for the use of the widow of late Sargeant-Major Prince Jenkins, first regiment, third brigade, fifth division, deceased,	5 60		
Also for an omission in an account already settled with said Nathaniel Jenkins, Major first regiment, third brigade, fifth division,	1 33		
		6	93
		$4219	98

War-Office, Commonwealth of Massachusetts,
February 8, 1816.

To the Honorable Senate and House of Representatives in General Court assembled.

The Undersigned respectfully reports, that by virtue of a Resolve, passed the first instant, he has received unadjusted claims against the Commonwealth from the Corporations, and persons stated in the annexed schedule, and liquidated the same at the sums set against their respective names, which when paid, will be in full for their several exhibits. All which is respectfully submitted.

EDWARD H. ROBBINS.

The Committee of both Houses to whom the foregoing account and report were referred, have considered the same, and recommend the passing of the following resolve.

LATHROP LEWIS, Chairman.

Resolved, That his Excellency the Governor, with advice of Council, be requested to issue his warrant on the Treasurer for the sum of four thousand two hundred and nineteen dollars and ninety-eight cents, payable to the foregoing Corporations and individuals, in full for their several claims allowed as aforesaid.

CHAP. CXLVIII.

Resolve appointing a Committee to revise the Probate Laws. 9th February, 1816.

Resolved, That the Hon. Thomas Dawes, Daniel A. White and John Pickering, Esqs. be a Committee to revise the Laws of this Commonwealth, relating to Judges and Courts of Probate, and proceedings in said Courts; and also the Laws relating to the appointment and duties of Executors, Administrators and Guardians; and to make report at the first session of the next Legislature.

CHAP. CXLIX.

Resolve authorizing the Solicitor General to sell estate late of B. Bidwell, taken on execution in favor of the Commonwealth. 9th February, 1816.

Upon the representation of the Solicitor General, stating,

that in May, A. D. 1814, an execution in favor of the Commonwealth was levied upon the real estate of the late Attorney-General, Barnabas Bidwell, and his house and land adjoining, situate in Stockbridge, was bid off by the agent at auction for the benefit of the Commonwealth, and a deed taken of it from the Sheriff in the name of the government; that the time of redemption has expired, and the estate is now the absolute property of the Commonwealth, which is in the possession of a tenant; that the estate will produce, upon a fair sale, more than the sum at which it was bid off for the government; and that it would be for the interest of the Commonwealth to have the same sold and the proceeds thereof placed in the Treasury;

Resolved, For reasons set forth in said representation, that the Solicitor General, Daniel Davis, Esq. be, and he hereby is appointed an Agent and authorized and empowered to make sale of the said estate, the property of the Commonwealth as aforesaid, and to make and execute, in behalf of the Commonwealth, such deed or deeds as may be necessary to convey the same. And the said Agent shall place the proceeds of said sale, and an account of his proceedings in the Treasury of the Commonwealth: *Provided however*, that no sale of said estate shall be made unless the same shall produce as much as the sum for which it was bid off for the government.

Resolved, That the said Agent be, and he is hereby authorized and empowered to settle with the tenant in possession of the said estate, and receive the rents now due, or which hereafter may be due, and to lease the said estate until a sale thereof be effected, and the money arising therefrom also to place in the Treasury.

CHAP. CL.

Resolve granting $50 to Lemuel Weeks, for services at Portland. 9th February, 1816.

On the petition of Lemuel Weeks, praying compensation for services performed in taking care of ordnance and public works at Portland,

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Common-

wealth, to Lemuel Weeks, the sum of one hundred and fifty dollars, in full of his services as Agent to said Commonwealth, in taking care of the ordnance deposited at Portland, and the superintendence of fort Burrows, the barracks and works and munitions of war deposited there, up to the fifteenth day of June last past.

CHAP. CLI.

Resolve authorizing Peter C. Brooks to sell and convey certain real estate. 10th February, 1816.

On the representation of John Hubbart, of Boston, in the county of Suffolk, father of Joseph Snow Hubbart and Thomas Tuttle Hubbart, minors, under the age of fourteen years, and of Peter C. Brooks, of said Boston, Guardian to said minors, for reasons set forth in their several petitions;

Resolved, That the Hon. Peter C. Brooks, of Boston, in the county of Suffolk, Guardian to Joseph Snow Hubbart and Thomas Tuttle Hubbart, children of John Hubbart, of said Boston, gentleman, under the age of fourteen years, be, and he hereby is authorized and empowered, by and with the consent of the said John, to bargain, sell and convey, at public or private sale, at his discretion, all or any part of the real estate of which said minors are or may be seized in virtue of the last will and testament of Elizabeth Partridge, late of Brookline, in the county of Norfolk, widow; said Guardian first giving bonds with sufficient sureties to the Judge of Probate for the county of Norfolk, to invest and dispose of the proceeds of such sales, and any other estate that may come to his possession, as Guardian to said minors, at interest, at his discretion; said interest or the income arising from such proceeds to be paid annually or oftener if received, to the said John Hubbart during his natural life, and the principal of all such investments to be transferred and paid over to them, the said Joseph Snow Hubbart and Thomas Tuttle Hubbart, upon the decease of said John Hubbart, if they shall then be of full age, and if not, when they shall arrive at full age, or in case of their decease, to their legal representatives, deducting from such payments, such commissions as said Judge of Probate shall from time

to time decree said Guardian for his services, and by said Judge to be apportioned on said John and said minors.

CHAP. CLII.

Resolve authorizing Joseph Locke to apply monies to the payment of Joseph Hill's debts. 10th February, 1816.

On the petition of Joseph Locke, Guardian to Joseph Hill, a minor, praying that he may be authorized to pay and apply the sum of six hundred and thirty dollars of money belonging to said minor, to discharge so much of the debts due from the estate of Joseph Hill, deceased :

Resolved, For reasons stated in said petition, that the said Joseph Locke, Guardian as aforesaid, be, and he hereby is authorized to apply the sum aforesaid, when he shall have the same in his hands, towards the payment of the debts due from the estate of the said Joseph Hill, deceased ; and upon his producing satisfactory evidence thereof to the Judge of Probate for said county of Middlesex, the said Judge is hereby authorized and required to allow the same to the said Locke in the settlement of his Guardianship account.

CHAP. CLIII.

Resolve granting Nathan Nason, $133 02, *for expenses in an action of ejectment by the Commonwealth.* 10th February, 1816.

On the petition of Nathan Nason, praying to be reimbursed for money paid the Commonwealth, for bills of costs in an action of ejectment brought against him by said Commonwealth, for land which did not belong to the Commonwealth;

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to the said Nathan Nason, the sum of one hundred and thirty-three dollars and two cents, in full consideration for all monies paid by him as aforesaid.

CHAP. CLIV.

Resolve confirming to Dorcas Hill her dower.
10th February, 1816.

On the petition of Dorcas Hill, praying that the assignment of her dower, in the estate of her late husband, Joseph Hill. may be confirmed:

Resolved, For reasons set forth in said petition, that the report of the Commissioners appointed by the Judge of Probate to set off and assign to the said Dorcas, her dower in the estate of her said deceased husband, dated on the fourth day of May, A. D. 1811, and the decree of the said Judge of Probate accepting thereof, dated on the sixteenth day of said May, be, and the same are hereby rendered as valid and firm to all intents and purposes, against the heirs of said Joseph Hill, deceased, and all persons claiming under them, as though the premises had not been under mortgage at the time of the said Joseph's decease.

CHAP. CLV.

Resolve granting further time to perform settlement duties on lands granted to Groton Academy.
10th February, 1816.

On the petition of Nathaniel Ingersol, for himself, and John Hodgdon, praying further time to settle the grants made to Groton and Westford Academies.

Resolved, For reasons set forth in said petition, that a further time of one year, from the first day of June next, be, and hereby is allowed to the said Nathaniel Ingersol and John Hodgdon, their heirs or assigns, to perform the settling duties required by the deeds of said grant. And if the said Nathaniel Ingersol and John Hodgdon, proprietors of said grants, their heirs or assigns, shall settle upon each of said half townships the number of ten families within the said time, that then the estate, right and title thereto respectively shall be as valid, full and effectual to all intents and purposes, as if the said conditions of settlement had been seasonably complied with: *Provided, nevertheless,*

that the said Nathaniel Ingersol and John Hodgdon shall, on or before the first day of June next, respectively, give bonds to the Commonwealth in the sum of six hundred dollars for each of said grants, with sufficient surety or sureties, to the satisfaction of the Agent for the sale of Eastern lands, conditioned that there shall be settled on each of said half townships the full number of families expressed in the original deed, within the aforesaid term, or pay to the Commonwealth thirty dollars for each family that shall then be deficient from the whole number.

And be it further resolved, That the Treasurer of the Commonwealth is hereby authorized, upon receiving the bonds as above specified, to cancel the bonds, signed by John Hodgdon and Nathaniel Ingersol, which are now lodged in the Treasury-Office.

CHAP. CLVI.

Resolve granting the Settlers in Bristol, &c. further time to pay for their lands. 10th February, 1816.

On the petition of the Selectmen and others, inhabitants of the towns of Bristol, Edgecomb, Newcastle, Nobleborough, Waldoborough, Jefferson and Boothbay, praying further time to pay for their lands to the Commissioners appointed to receive the same:

Resolved, For reasons set forth in said petition, that a further time be, and hereby is allowed to the Settlers who have not yet been quieted, of one year, from the passing of this resolve, to make payment for their lands therein mentioned, and the powers and duties of the Commissioners appointed under a resolve passed the twenty-fifth of February, one thousand eight hundred and thirteen, are prolonged, and they may make such deeds to said Settlers, as in said last mentioned resolve authorized, until the expiration of one year, from the date of this resolve, upon payment by the Settlers of such sums, as by the terms of said resolve may be due with interest till paid. And it shall be the duty of said Commissioners to make their final return, in said resolve required, to the first Session of the General Court holden in May, one thousand eight hundred and seventeen; but

no person shall be considered a Settler under said resolve by reason of a settlement originating after the passing thereof.

CHAP. CLVII.

Resolve on the petitions of sundry towns and individuals in the District of Maine, praying for a separation of that District from the other part of this State.

10th February, 1816.

Resolved, That it shall be the duty of the Selectmen of the several towns and districts, and of the Assessors of the several plantations within the District of Maine to issue their warrants, requiring the inhabitants of said towns, districts and plantations, respectively, who are qualified to vote in the choice of Senators in the General Court, to assemble on Monday, the twentieth day of May next, and give in their written votes on the following question, to wit: "Shall the Legislature be requested to give its consent to the separation of the District of Maine from Massachusetts proper, and to the erection of said District into a separate State?"—And it shall be the duty of said Selectmen and Assessors to receive and certify the whole number of votes given in at said meetings, respectively, by the voters qualified as aforesaid, for and against such separation, together with the whole number of qualified voters in such town, district or plantation. And it shall also be the duty of said Selectmen and Assessors, respectively, in the said meetings, to make public declaration of the number of votes given in as aforesaid, and to attest, seal up and transmit certificates of the same to the Secretary's office, on or before the second Wednesday of the first session of the next General Court. And the Secretary is hereby directed to forward, as soon as may be, a copy of this resolve to the Selectmen of the several towns and districts, and the Assessors of the several plantations, in the said District of Maine.

CHAP. CLVIII.

Resolve, allowing fifty dollars for the Gentleman who may preach the election sermon. 10th February, 1816.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, annually, the sum of fifty dollars to the Gentleman who shall preach the Election Sermon on the day of General Election in May.

CHAP. CLIX.

Resolve authorizing the Congregational Churches in the County of Barnstable to sell their Shares in certain real estate. 12th February, 1816.

Whereas it appears that the several Congregational Churches in the county of Barnstable, are tenants in common of certain real estate, situate in said county, and devised to them in and by the last will and testament of Doctor Abner Hersey, late of the town of Barnstable, in said county, deceased;—And whereas it also appears that the management of said real estate in common is attended with great inconvenience and expense, and that the same has heretofore been managed in an unproductive manner;

Therefore resolved, That the several Congregational Churches in the county of Barnstable aforesaid, and each of them be, and they hereby are authorized to sell and convey, and by their respective Agents or Committee appointed for that purpose, to execute deeds to sell and convey their respective shares and interest in said real estate, as soon as may be; and upon such sale of any or all of said shares being made, to put the proceeds thereof at interest, upon good security in the most advantageous manner, and to apply the annual interest and income thereof to the pious and charitable purposes mentioned by the Testator in his last will and testament aforesaid.

And be it further resolved, That the said several Churches and each of them be, and they hereby are authorized to make any agreement or compromise, which they may think proper in the premises with the heirs at law of the said Tes-

tator, as well touching the said sale, as the application of the proceeds thereof.

CHAP. CLX.

Resolve directing the Treasurer to pay seven hundred dollars to the Clerk of the Supreme Court in Middlesex county, for the use of James Martin. 12th Feb. 1816.

On the petition of Jesse Parker in the county of Middlesex, Administrator of the estate of Winslow Parker, late of said Groton, deceased, it appearing that this Commonwealth, on the 15th day of December, A. D. 1784, by deed of that date, of their Committee, fully authorized, for a valuable consideration, paid by said Winslow to the use of the Commonwealth, sold and conveyed with warranty against the claims of all persons, a certain messuage and three several tracts of land in said Groton, to hold, to him, his heirs and assigns forever: It also appearing that James Martin, Esquire, of the city of Washington, in the District of Columbia, at the Supreme Judicial Court of said Commonwealth, holden at Cambridge in and for the county of Middlesex, on the last Tuesday of October last, recovered judgment for one undivided moiety of the premises, with the costs of the suit, against the said Jesse and Jonas Longley Parker, Winslow Parker, Libni Parker, Dan Parker, Nathaniel Parker, Job Parker, Harriot Parker, Nabby Parker, Clark Parker, Anna Parker and Sabrina Parker, children and heirs of the said Winslow, deceased, and tenants of the premises, and that the Jury estimated the value of said moiety of the premises, without the improvements, at seven hundred dollars; and that the said Martin, then and there in due form of law abandoned the said premises to the said tenants;

Therefore resolved, That the Treasurer of this Commonwealth be, and he is hereby directed, by warrant from his Excellency the Governor, immediately to pay over into the hands of the Clerk of the Supreme Judicial Court for the county of Middlesex, the sum of seven hundred dollars, with interest thereof, from and after the first day of December last, for the use of said Martin, together with the costs of his said suit, to be taxed by the said Clerk, and to file with the said Clerk an attested copy of this resolve; and the said

Martin is to be deemed to be thenceforth forever barred and precluded from the premises, and every part and parcel thereof.

And be it further resolved, That the said Treasurer be, and he is hereby directed, by warrant from his Excellency the Governor, immediately to pay over into the hands of said Jesse Parker, the sum of one hundred dollars, to be taken in full compensation for the claims of said tenants upon the Commonwealth for their costs and charges about the defence of said suit.

CHAP. CLXI.

Resolve on the petition of Moses Knapp, directing the Agent on Eastern lands to cause lots of settlers on No. 4, east side of Penobscot River to be surveyed, and granting further time for payment. 12th February, 1816.

On the petition of Moses Knapp, praying leave to purchase a lot of land in Plantation Number Four on the east side of Penobscot river adjoining Eddington.

Whereas, by a resolve passed June 13, 1814, on the petition of Anna Palmer, and Eber Hathorn, which resolve embraces the object of the above petitioner, but by the provisions of said resolve a survey was to have been made on or before September, 1815; the Agent on Eastern lands appointed Charles Hammond, Esquire, to make the survey, but in consequence of the sickness and death of said Hammond, said resolve has not been carried into effect.

Therefore resolved, That a further time of one year, from the passing of this resolve, be, and hereby is allowed the settlers to pay for their several lots, and the Agent for Eastern lands is hereby authorized to cause the same to be surveyed in the way and manner provided in said resolve of June 13, 1814.

CHAP. CLXII.

Resolve appointing a Committee to report relative to the removal of two half toll gates on the Housatonic Turnpike. 13th February, 1816.

Whereas a petition is now depending before the Legis-

lature in behalf of the Housatonic Turnpike Corporation, and the Hudson Turnpike Corporation, praying that the two half toll gates of said Corporations, which are now situated about one mile west of Dwight's mills in West Stockbridge, in the county of Berkshire, may be removed, and that in lieu thereof, one gate may be placed at some convenient place east of the road leading from Great Barrington to the village of West Stockbridge, and between said road and the foot of West Stockbridge mountain, where the Housatonic Turnpike road coincides with the county or old road, with such toll, as to the Legislature may seem reasonable; and whereas the justice and propriety of said petition can better be ascertained by discreet persons upon a view of the premises than by this Legislature;

Therefore resolved, That Wolcott Hubbell, Joshua Danforth and David Wainright, Esqs. be a Committee for the purposes herein after stated; that is to say, to view the said premises, and, after a hearing of the parties interested, make report to the first Session of the next General Court the opinion of said Committee, where the said gate or gates ought to be placed, and what toll ought to be received thereat, and whether any, or what persons ought to be exempted from paying toll thereat: *Provided, nevertheless*, that in case of the refusal, inability or neglect of any one of the said Committee to perform the service aforesaid, his place shall be supplied by the appointment of the other two; that the compensation of the said Committee shall be paid by the said Corporations; and *provided also*, that the said Committee shall give notice of the time and place of their meeting for the purposes aforesaid, at least fourteen days before said time, by a publication in the news-paper printed at Stockbridge, in said county.

CHAP. CLXIII.

Resolve directing the Secretary to lay before the General Court a list of new Towns. 13th February 1816.

Resolved, That it shall be the duty of the Secretary of this Commonwealth, sometime in the first week of the second session of the next General Court, and in the first week

of the second session of every succeeding General Court, to lay before them a correct list of the names of all the towns incorporated from plantations or other tracts of land the year preceding, with the names they originally bore, and also a like list of the names of all towns which may have been incorporated the year preceding out of one or more old towns, with the name of the town or towns from which they were taken.

CHAP. CLXIV.

Resolve on the report of Hon. Jeremiah Bailey and Benjamin Orr, Esqs. Commissioners for giving deeds to settlers in Lincoln county. 13th February, 1816.

Whereas the Hon. Jeremiah Bailey and Benjamin Orr, Esqs. appointed Commissioners by his Excellency the Governor, under a resolve passed the 25th February, 1813, for certain purposes therein mentioned, have produced plans of several towns, with the settlers' lots thereon described, and also a schedule of the names of settlers, with the amount they have respectively paid, which sums, amounting to five thousand seven hundred and twenty-seven dollars and sixty-eight cents, after deducting two and a half per cent. they have paid into the Treasury of this Commonwealth :

And whereas the said Commissioners have not been able to complete the duty assigned them, owing to the settlers in some instances not being able to make payment in season, and other settlers being on or near the lines of the grant to Lincoln Academy, which lines are not properly defined :

Therefore resolved, That the said Commissioners be allowed to take from the Land office, the plans of said towns lodged in said office by them, for the purpose of completing the object of the resolves passed February twenty-fifth, 1813, and February twenty-eighth, 1814, to be restored to said office, when they make their final report.

Resolved, That the Trustees of the Lincoln Academy be, and they hereby are authorized and requested to receive from such settler who has settled on the Gore of Land, so called, bounded easterly by the Waldo line; southerly by the Drown line, and westerly by the Plymouth line, as laid down and delineated on a plan taken by Daniel Rose and John Glea-

son, June, 1812, on the same terms and conditions, and the same time for payment as settlers on the towns aforesaid, and convert the money received therefor to the use of said Academy, conformably to the resolve passed twenty-eighth February, 1814.

And be it further resolved, That there be granted to Jeremiah Bailey and Benjamin Orr, Esqs the sum of one thousand dollars, on account of their services as Commissioners aforesaid ; and his Excellency the Governor, is requested to draw his warrant on the Treasurer for the same.

CHAP. CLXV.

Resolve authorizing the Judge of Probate for the county of Berkshire to allow further time to the creditors of William Young to bring in their claims.

13th February, 1816.

Upon the representation of the Solicitor-General, praying that the Judge of Probate for the county of Berkshire may be authorized and directed to allow a further time to the creditors of the estate of William Young, late of Williamstown, in the said county of Berkshire, deceased, represented insolvent, for bringing in and proving their claims :

Resolved, For reasons set forth in the representation of the said Solicitor-General, that the Judge of Probate of Wills, &c. in the said county of Berkshire be, and he is hereby authorized and directed to allow a further time, not exceeding three months, to the creditors of the estate of said William Young, to bring in and prove their claims upon said estate before the Commissioners. And the said Commissioners are hereby authorized and directed to receive, examine and allow any further claims against said estate in the same manner as they have examined and allowed the claims of the creditors of said estate, who have heretofore exhibited their said claims. The said Commissioners to give such notice of their further meetings as the said Judge of Probate for said county of Berkshire shall order and direct.

CHAP. CLXVI.

Resolve proposing an amendment to the Constitution of the United States. 13th February, 1816.

THE Committee to whom was referred a Resolution of the State of North Carolina, proposing an amendment to the Constitution of the United States, ask leave to Report:

That all the principles contained in the three first paragraphs of the said Resolution, meet the unanimous concurrence of your Committee; but that the principle contained in the fourth paragraph meets their unanimous dissent, inasmuch as its effect is to render forever permanent the Districts, into which any State may first be divided, until by a census and apportionment, the number of Representatives to which such State may be entitled, shall be changed; so that, until this happen, whatever alteration may take place in the relative proportion of the inhabitants entitled to representation within the respective Districts, no corresponding alteration of the Districts can be attained. A principle, in the opinion of your Committee, incorrect in itself, and in its operation likely to be productive both of inequality and inconvenience.

Your Committee do not apprehend that any disadvantage can result from enabling each State Legislature immediately after every new census and apportionment, to revise the state of their respective Districts for the purpose of remedying any inequality which may have occurred in the relations of the population, within the respective Districts.

They therefore recommend that the Legislature should reject the Resolution proposed by the State of North Carolina.

But inasmuch as the general principles contained in the proposition transmitted from the State of North Carolina meet, in other respects, the concurrence of your Committee, they ask leave to recommend for the consideration of the Legislature, a Resolution embracing all the principles included in the Resolution from the State of North Carolina, with the exception of that which your Committee deemed objectionable, and modifying this upon principles, which your Committee deem both safe and expedient.

Your Committee, in conformity to the preceding Report, ask leave to present two Resolutions for the consideration and adoption of the Legislature.

By order of the Committee,

JOSIAH QUINCY, Chairman.

Commonwealth of Massachusetts.

FEBRUARY, 1816.

Resolved, That the proposition of an amendment to the Constitution of the United States, in the words following, viz.

"That for the purpose of choosing Representatives in the Congress of the United States, each State shall, by its Legislature, be divided into a number of Districts equal to the number of Representatives to which such State may be entitled.

Those Districts shall be formed of contiguous territory, and contain as nearly as may be, an equal number of inhabitants entitled by the Constitution to be represented. In each District the qualified voters shall elect one Representative, and no more.

That for the purpose of appointing Electors of President and Vice-President of the United States, each State shall, by its Legislature, be divided into a number of Districts equal to the number of Electors to which such State may be entitled.—Those Districts shall be composed of contiguous territory, and contain as nearly as may be, an equal number of inhabitants, entitled by the Constitution to representation. In each District the persons qualified to vote for Representatives, shall appoint one Elector, and no more. The Electors when convened, shall have power, in case any of those appointed, as above prescribed, shall fail to attend for the purposes of their said appointment, on the day prescribed for giving their votes for President and Vice-President of the United States, to appoint another or others to act in the place of him, or them, so failing to attend.

Neither the Districts for choosing Representatives, nor those for appointing Electors, shall be altered in any State, until a census and apportionment of Representatives, under

it, made subsequent to the division of the State into Districts, shall change the number of Representatives and of Electors, to which such State may be entitled.—The division of the State into Districts, hereby provided for, shall take place immediately after this amendment shall be adopted and ratified as a part of the Constitution of the United States; and successively afterwards, whenever by a census and apportionment of Representatives under it, the number of Representatives and of Electors, to which any State may be entitled, shall be changed. The division of such State into Districts for the purposes both of choosing Representatives and of appointing Electors, shall be altered agreeably to the provisions of this amendment, and on no other occasion:"

Be and the same is hereby rejected; and that His Excellency the Governor be requested to transmit copies of this Resolution to the Executives of the several States, and to each of our Senators and Representatives in the Congress of the United States.

Commonwealth of Massachusetts.

IN SENATE, 9th FEBRUARY, 1816.

Resolved, That our Senators in the Congress of the United States be instructed, and our Representatives be requested to endeavour to obtain the following amendment to the Constitution of the United States.

That for the purpose of choosing Representatives in the Congress of the United States, each State shall, by its Legislature, be divided into a number of Districts, equal to the number of Representatives, to which such State may be entitled.

Those Districts shall be formed of contiguous territory, and contain, as nearly as may be, an equal number of inhabitants entitled by the Constitution to be represented. In each District the qualified voters shall elect one Representative and no more.

That for the purpose of appointing Electors of President and Vice-President of the United States, each State shall, by its Legislature, be divided into a number of Districts e-

qual to the number of Electors, to which such State may be entitled. Those Districts shall be composed of contiguous territory, and contain, as nearly as may be, an equal number of inhabitants entitled by the Constitution to representation. In each District the persons qualified to vote for Representatives shall appoint one Elector, and no more. The Electors, when convened, shall have power, in case any of those appointed as above prescribed shall fail to attend for the purposes of their said appointment, on the day prescribed for giving their votes for President and Vice President of the United States, to appoint another or others to act in the place of him or them so failing to attend.

Neither the Districts for choosing Representatives, nor those for appointing Electors shall be altered in any State until a census and apportionment of Representatives, under it, subsequent to the division of the State into Districts, shall be made. The division of States into Districts, hereby provided for, shall take place immediately after this amendment shall be adopted and ratified, as a part of the Constitution of the United States; and successively immediately afterwards, whenever a census and apportionment of Representatives under it, shall be made. The division of such State into Districts, for the purposes both of choosing Representatives, and of appointing Electors, shall be altered agreeable to the provisions of this amendment, and on no other occasion.

Resolved, That His Excellency the Governor of this Commonwealth be requested to forward a copy of the preceding resolutions to each of our Senators and Representatives in the Congress of the United States, and also to the Executive of the several States, accompanied with a request, that the same may be laid before their respective Legislatures for their consideration and adoption.

In Senate, February 9, 1816.

Read and accepted by unanimous vote. Sent down for concurrence. JOHN PHILLIPS, President.

House of Representatives, February 13, 1816.

Read and concurred by a unanimous vote.

TIMOTHY BIGELOW, *Speaker.*

CHAP. CLXVII.

Resolve allowing $80 86 *cents to Stephen Whiting, a soldier, killed in the revolutionary war, to be paid his heirs.* 13th February, 1816.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the legal heirs of Stephen Whiting, a soldier, who was killed in the service of his country, during the revolutionary war, the sum of eighty dollars and eighty-six cents, being a balance of pay due him at that time, including interest to the first day of January, in the year of our Lord eighteen hundred and sixteen; and that his Excellency the Governor be requested to draw his warrant on the Treasurer for that sum.

CHAP. CLXVIII.

Resolve directing the Quarter-Master-General, relative to Munitions of War, loaned to towns, &c. and authorizing the Governor to cause an Arsenal to be erected, in Boston, and in Cambridge. 13th February, 1816.

Resolved, That all the towns, plantations, Military Officers, and individuals of every description, who have received from the Commonwealth, its Magazines, and Arsenals, (during the late war,) any munitions of war, or muskets and accoutrements, and have not returned or accounted for the same, agreeably to the resolve, passed June 13th, 1815, requiring the return of said articles, be, and they hereby are required to shew cause, if any they have, why they should not be called upon to pay the Commonwealth, the amount of their delinquency, by transmitting to the Quarter-Master-General's Department, a fair and correct statement of facts, relative to their delinquency, by affidavit, on or before the first Wednesday of the first session of the next General Court; and the Quarter-Master-General is hereby required to lay the same before the then Legislature, for their consideration and determination: *Provided however*, that in case any of the said delinquents shall, on or before the said first Wednesday, return any of said articles to the Quarter-

Master-General's Department, said articles, thus returned, shall be credited for, and a reasonable allowance for the expense of returning the same, be made by the Quarter-Master-General.

Be it further resolved, That the Quarter-Master-General be, and he is hereby authorized and directed to transmit by mail to each of said delinquents, a copy of the foregoing resolve.

Be it further resolved, That the Governor and Council be, and they hereby are authorized to cause a fire proof Arsenal and Larboratory to be erected, of such dimensions as they may deem expedient, on the tract of land now in the possession of the Commonwealth, situated and bounded on Pleasant-street, in Boston. Also to cause to be erected an additional fire proof Store in Cambridge, of such dimensions as they may deem expedient, on the land now owned by the Commonwealth, as a more permanent deposit of the tents and camp equipage, gun-carriages and tumbrils, apparatus, muskets and accoutrements, fixed ammunition, &c. and for this purpose, the Governor be, and he hereby is authorized, by and with the advice of the Council, to draw his warrants upon the Treasurer of this Commonwealth, for any sum or sums, not exceeding seven thousand dollars: And the Treasurer of this Commonwealth is hereby authorized and empowered to borrow from any Bank or Banks in this Commonwealth, in the name of the Legislature, according to the provisions of their several acts of incorporation, and upon such terms and conditions as therein specified, any sum not exceeding seven thousand dollars, for the purpose of discharging the warrants to be drawn in pursuance of this resolution.

Be it further resolved, That the Quarter-Master-General be, and he hereby is authorized and directed to employ suitable persons to repair the injuries caused by the frost, to the forts recently erected by this Commonwealth, in Boston and its vicinity, at Portland and elsewhere.

Be it further resolved, That the resolve providing for the purchase of land and the erection of a public Arsenal, passed on the thirteenth day of June last be, and hereby is repealed.

CHAP. CLXIX

Resolve on the petition of John P. Boyd, directing the Agent on Eastern lands to cancel bonds and give a deed of half a township. 13th February, 1816.

Resolved, For reasons set forth in said petition, that the Agents for the sale of Eastern lands, be, and they hereby are, authorized and directed to cancel the contracts and notes of the said John P. Boyd, Esq. given to the use of the Commonwealth for the purchase of three certain townships of land, formerly contracted to be sold to Charles Bulfinch and others, and by them transferred to said Boyd ; and, in consideration of the monies already paid into the Treasury of the Commonwealth by said Bulfinch and others, and said Boyd, in part pay of said townships, amounting to four thousand two hundred and seventy-one dollars and seventy-seven cents, that said Committee, for the sale of Eastern lands, be, and they hereby are, authorized and directed to give a deed to said John P. Boyd of one half of one of said townships, to wit, No. 2 in the seventh range, lying north of the Waldo-patent and between the rivers Kennebec and Penobscot, and to locate the same by meets or bounds, in equal moieties in quantity or quality between the Commonwealth and said Boyd, the said Boyd's moiety thereof to remain subject to a like proportion of the restrictions, reservations and conditions, expressed in his contract with the said Committee for the sale of Eastern lands.

CHAP. CLXX.

Resolve authorizing the Governor to appoint a Committee to survey and lay out a road in Penobscot county. 13th February, 1816.

On the petition of inhabitants of Brownville and of Ichabod Thomas and others;

Resolved, That his Excellency the Governor with the advice and consent of Council, be, and he is hereby authorized to nominate and appoint a Committee who shall be authorized to cause to be surveyed, and if the public good requires

it, lay out a road, beginning at the northern extremity of the road, now made through the Indian townships, so called, on the west side of Penobscot river, and thence running north a little westerly, through the land belonging to the Commonwealth, to the township Number two, in the seventh range north of the Waldo patent; thence in the nearest practicable and convenient direction, through said township Number two and township Number three in the same range, and to the mills in said Brownville; thence the nearest convenient direction to the township of Williamsburgh; thence to the land belonging to the Commonwealth in the south part of township Number six in the ninth range; thence through said township to the land of the Commonwealth lying north of said ninth range, consulting in the general direction of said road the advantage of the Commonwealth, in selecting favorable ground for a proper avenue to the great body of its lands.

Resolved, That said Committee shall have power in behalf of the Commonwealth to contract with any person or persons to open and make said road passable and convenient for carriages, excepting through the townships of Brownville and Williamsburgh aforesaid, and the half township granted to Warren Academy, and to pay them for the same in any of the lands belonging to the Commonwealth, through which said road shall pass, at such price as the said Committee shall judge reasonable: And when the said road shall be completed to the satisfaction of a Committee to be appointed by the Court of Sessions, and accepted by them, the Agent for the sale of Eastern lands shall be, and hereby is, authorized to convey to the person or persons who shall have contracted for the same, their heirs or assigns, the quantity of land contracted for as aforesaid, it having been first surveyed under the direction of said Agent: *Provided however*, that previous to the laying out of said road, the proprietors of the said townships of Brownville and Williamsburgh, and of the half township granted to Warren Academy, shall severally give bonds, to the satisfaction of said Committee, that so much of said road as shall pass through their respective townships or tracts shall be made passable and convenient for carriages at their own expense; otherwise all the provisions of these resolutions for making said roads shall be void.

Resolved, That the said Committee shall lay their accounts and a statement of their proceedings relative to said road, before his Excellency the Governor, who is requested to draw his warrant on the Treasurer for the payment thereof.

CHAP. CLXXI.

Resolve on the petition of the Massachusetts General Hospital Corporation relative to the sale of the old Province House. 13th February, 1816.

On the petition of the Massachusetts General Hospital Corporation, praying for a modification of the condition, on which the said Corporation is authorized by law to sell or otherwise dispose of the estate called the old Province House :

Resolved, For reasons set forth in said petition, that the authority which the said Corporation now have by law to sell and dispose of said estate, and to apply the proceeds thereof as a fund for a General Hospital, shall be subject to the sole condition, that before a sale of said estate be made, the said Corporation shall give bond to the Treasurer of the Commonwealth, with surety or sureties, to be approved by his Excellency the Governor and Council, for the time being, conditioned, that the proceeds of said sale, with the interest thereon, shall be paid into the Treasury for the use of the Commonwealth, within one year from the date of such sale, unless an additional sum of one hundred thousand dollars shall have been raised by private subscription, or donation, for the purpose of the Hospital; any thing contained in the act, entitled an act to incorporate certain persons by the name of the Massachusetts General Hospital, and an act in addition thereto, passed in June, eighteen hundred and thirteen, to the contrary notwithstanding.

CHAP. CLXXII.

Resolve making valid certain notifications of A. Bowman, Guardian of Aaron Tottingham. 14th February, 1814.

On the petition of Amos Boardman, as late Guardian of Aaron Tottingham, late of that part of Reading, now South

Reading, in the county of Middlesex, then an idler, but now deceased, intestate, relating to the notice, which he, the said Amos Boardman, gave of the time and place of the sale by him, as such Guardian, and pursuant to a license of the Court of Common Pleas, made, at a public auction, on the twenty-third day of February, A. D. 1803, of all the real estate of said Tottingham, and to the affidavit therein mentioned by him since made of said sale and his proceedings relating thereto, and now recorded in the Registry of Probate in and for said county :

Resolved, For the reasons and purposes in said petition stated, that the prayer thereof be granted, and that the notifications by him, the said Amos Boardman, posted, as therein mentioned, of the time and place of said sale, shall be considered and taken as legal notice thereof, to all intents and purposes ; and that said affidavit by him made of said sale and his proceedings relating thereto, and now recorded in said Registry, as therein alleged, shall be admissible evidence of said sale, and proceedings, although the same was not made and recorded as aforesaid, within the time limited by law, any law to the contrary notwithstanding.

CHAP. CLXXIII.

Resolve making allowance to David Small and others, for the expenses of an action brought against them by the Commonwealth, for supposed trespass on lands in Minot.
14th February, 1816.

On the petition of David Small, Nathaniel Small, John Nason, and Nathan Nason, praying that they may be reimbursed for monies paid in an action of trespass, commenced against them by the Commonwealth, on the lots of land in the town of Minot, formerly Bakerstown, on which they have settled ; which lots, afterwards proved not to belong to the Commonwealth :

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to John Nason, David Small, and Nathaniel Small, the sum of eighty-three dollars and eighty-two cents, and to Nathan Nason, the sum of sixty-eight dollars and sixty-seven cents, in full consideration of all costs, damages, and expenses, incurred in consequence of said action.

CHAP. CLXXIV.

Resolve making an allowance to A. Barbadoes, heir of Isaac Barbadoes, an old soldier. 14th February, 1816.

On the petition of Abel Barbadoes,

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the public Treasury, to Abel Barbadoes, the sum of sixty-seven dollars and fifteen cents, being a balance due to one Isaac Barbadoes, deceased, for his services as a soldier, in Col. Timothy Bigelow's regiment, in the Massachusetts line, of the revolutionary army, who died in the service of his country; the said Abel being the only and sole heir of the said Isaac deceased; and his Excellency the Governor is requested to issue a warrant on the Treasury, for the payment of the said sum to the said Abel.

CHAP. CLXXV.

Resolve authorizing Sidney Willard to sell real estate of certain Minors. 14th February, 1816.

On the petition of Sidney Willard, Guardian of Sophia W. Mary, E. Francis, and Joseph W. Dana, minors and devisees mentioned in the last will and testament of Francis Dana, late of Cambridge, Esquire, deceased:

Resolved, For reasons set forth in said petition, that the said Sidney Willard, as Guardian as aforesaid, be, and he hereby is authorized and empowered to sell and convey any part or parts of the real estate held by them in common and undivided with the other heirs or devisees of said Francis Dana, deceased, and of which a sale and conveyance shall, at the time, be made by said other heirs or devisees; and every sale and conveyance as aforesaid, whether made at public auction, or by private contract, and executed by said Willard, in his said capacity of Guardian, shall be sufficient to pass all the right and interest of said Minors in and to such estate: *Provided, however*, that said Willard shall, previous to any such sale, execute a bond, with one or more sureties, to the Judge of Probate for the county of Middle-

sex, and in such form as he shall prescribe, to account for the proceeds of all such sales, and to invest or manage the same as shall be most for the benefit of said Minors: And *provided also*, that no sale, made as aforesaid, shall be for a less sum than shall be received by the other persons interested in said estate, for a like proportion thereof.

CHAP. CLXXVI.

Resolve authorizing the Court of Sessions in Hampden county to defray the expense, in part, of building a bridge in Westfield. 14th February, 1816.

On the petition of Benjamin Hastings, in behalf of the inhabitants of the town of Westfield, praying that the Court of Sessions in and for the county of Hampden, may make such allowance to the said town of Westfield for building and supporting a bridge over Agawam or Westfield river, in said town, near the house of Gad Noble, as they may think just and reasonable:

Resolved, For reasons set forth in said petition, that the Court of Sessions for the county of Hampden, at their term to be held at Springfield, in and for said county, on the third Monday of March next, be authorized to hear any statement, petition or request from any persons duly authorized by said town of Westfield, and to allow and authorize such sums of money to be drawn from the Treasury of said county, to be appropriated towards building and supporting a bridge at the place aforesaid, as they may think just and reasonable; and if they think proper, to appoint an Agent to superintend the laying out the same.

And be it further resolved, That the said Benjamin Hastings cause a copy of this resolve to be printed in the Hampden Federalist, published in Springfield, in two successive papers before the time for holding said Court, that any town within said county, by their Agents or Attornies may appear and object to the said town of Westfield's having any relief in the premises.

CHAP. CLXXVII.

Resolve granting one hundred dollars to Ebenezer Kimball.
14th February, 1816.

On the petition of Ebenezer Kimball,

Resolved, That for the reasons set forth in said petition, the sum of one hundred dollars be paid out of the public treasury to said Ebenezer Kimball; and His Excellency the Governor, with advice of Council, is requested to issue a warrant on the treasury for the payment of the said sum of one hundred dollars to the said Ebenezer Kimball accordingly.

CHAP. CLXXVIII.

Resolve granting Edward H. Robbins, Esq. $300 *for services in the War Office.* 15th February, 1816.

Resolved, That there be paid out of the Treasury of this Commonwealth, to the Honorable Edward H. Robbins, three hundred dollars on account of his services in the War Office, since the 15th of June last—he to be accountable for the same.

CHAP. CLXXIX.

Resolve making compensation for the Committee on accounts.
15th February, 1816.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the Committee appointed to examine and pass on accounts, presented against this Commonwealth, for their attendance on that service, during the present session, the sum of one dollar per day, in addition to their pay as Members of the Legislature, viz.

Honorable Silas Holman—thirty-six dollars.
Honorable Jacob Abbot—thirty-three dollars.
James Robinson—thirty-six dollars.
Alford Richardson—thirty-five dollars.
Daniel Howard—thirty-six dollars.

CHAP. CLXXX.

Resolve granting pay to John Low junior, Assistant to the Messenger of the General Court. 15th February, 1816.

Resolved, That there be allowed and paid out of the treasury of this Commonwealth to John Low, junior, Assistant Messenger of the House of Representatives, ninety-two dollars, in full for his services in that capacity, during the present session of the General Court.

CHAP. CLXXXI.

Resolve granting pay to the Chaplains of the General Court. 15th February, 1816.

Resolved, That there be allowed and paid out of the treasury of this Commonwealth to the Executors of the Reverend Doctor John Lathrop, deceased, thirty dollars; to the Reverend Samuel C. Thacher, Reverend Francis Parkman, and the Reverend Nathaniel L. Frothingham, each thirty dollars, in full for their services as Chaplains to the General Court the present political year.

CHAP. CLXXXII.

Resolve for granting two hundred and fifty dollars to the Messenger of the General Court, in addition to his salary. 15th February, 1816.

Resolve, That there be allowed and paid out of the treasury of this Commonwealth, to Jacob Kuhn, Messenger of the General Court, the sum of two hundred and fifty dollars, which, with the sum already allowed him, shall be in full for his services the present year, ending the thirtieth day of May next.

CHAP. CLXXXIII.

Resolve directing the Treasurer to recall an execution against Bridge's Plantation, and remitting the amount, being the same place called Kingville. 15th February, 1815.

Whereas, in the act imposing a tax for the year eighteen hundred and thirteen, the town of Kingville, in the county of Kennebeck, was taxed in the sum of twenty-eight dollars thirty-three cents, which sum has been duly paid into the Treasury; and whereas Bridge's Plantation was assessed in said act for the sum of twenty-five dollars, for which execution has issued; and whereas Kingville and Bridge's Plantation are different names for one and the same place:

Therefore resolved, That the Treasurer of this Commonwealth be authorised to direct the officers to whom said execution has been committed to return the same unsatisfied, if not levied, and that the said Tax assessed upon Bridge's Plantation be altogether remitted.

CHAP. CLXXXIV.

Resolve on the petition of Shubael Bell, authorising the Hon. John Phillips, and John T. Apthorp, Esq. to quit-claim the title of the Commonwealth to estate in Court-street. 15th February, 1816.

Resolved, For reasons set forth in said petition, that the Hon. John Phillips, President of the Senate, and John T. Apthorp, Esq. Treasurer of the State, be, and they hereby are empowered to release and quit-claim all the rights and title of the Commonwealth in and to the estate described in said petition, situate in Court-street, in said Boston, to Peter C. Brooks, Esq. who is proprietor of the reversion of said estate, and also to release said Bell from all demands of the Commonwealth on account of his lease of the said estate, or for arrears of rent: *Provided* said Bell shall pay into the Treasury of this Commonwealth, eleven hundred and fifty dollars, and said Brooks shall pay into said Treasury, the sum of two thousand dollars in full of the right and title of the Commonwealth to the premises.

CHAP. CLXXXV.

Resolve granting a pension to Adam Rupp, of $72 annually. 15th February, 1816.

On the petition of Adam Rupp, praying compensation for the loss of his right foot, while in the service of the Commonwealth, at fort Strong, in the year one thousand eight hundred and fourteen:

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the said Adam Rupp, seventy-two dollars annually, during his natural life, in semi-annual payments, to commence from the passing of this resolve.

CHAP. CLXXXVI.

Resolve authorizing the Treasurer to give notice to the Union and Boston Banks, that the Legislature direct them to purchase the Capital Stock belonging to the Commonwealth, in those Banks. 15th February, 1816.

Resolved, That the Treasurer of this Commonwealth be, and he hereby is authorized and empowered, to give notice forthwith, to the President, Directors and Company of the Boston Bank, and to the President, Directors and Company of the Union Bank, that the Legislature of this Commonwealth do order and direct, the said President, Directors and Company of the Boston and Union Banks respectively, after nine months from the notices given aforesaid, to purchase of the Commonwealth, its Capital Stock owned in said Banks, according to the terms and provisions specified and contained in their respective acts of incorporation.

And be it further resolved, That the said Treasurer of this Commonwealth be also authorized and directed, to receive from either of said Banks any proposition relative to the purchase of said Stock, and to report the same, with his opinion, touching the interest of the Commonwealth, at the first session of the next General Court.

CHAP. CLXXXVII.

Resolve on the petition of Joseph Howard, authorizing the Attorney General to suspend the collection of an execution. 15th February, 1816.

On the petition of Joseph Howard praying that he may be relieved from a judgment of the Supreme Judicial Court, when holden at Portland, within the county of Cumberland, for the counties of Cumberland and Oxford, on the third Tuesday of October, A. D. 1815, on an information filed by Perez Morton, Esq. Attorney General, for a supposed trespass on the Commonwealth's land:

Resolved, For reasons set forth in said petition, that the same petition be referred to the first session of the next General Court, there to be heard and determined; and that the Attorney General be authorized and directed, to suspend the collection of the execution, recovered by said Commonwealth, against the said Joseph Howard, until the end of the first session of the next General Court: *Provided however*, that the said Howard shall satisfy, and pay the informer or complainant, any sum that shall be due him or them, in the judgment aforesaid.

CHAP. CLXXXVIII.

Resolve appointing a Committee to fix the boundary line between Durham and Pejepscot. 15th February, 1816.

Resolved, That Archelaus Lewis, Esquire, of Westbrook, Alexander Greenwood, Esquire, of Hebron, and Aaron Dwinal, Esquire, of Lisbon, be a Committee to repair to the towns of Durham and Pejepscot, to settle and finally fix the boundary line between the towns of Durham and Pejepscot, at their expense; and, after a full hearing of the parties, that they begin at the place which they may determine to have been the most north-westerly corner of the town of Durham, in the year of our Lord one thousand seven hundred and eighty-nine; and from thence to run the dividing line between said towns of Durham and Pejepscot to Androscoggin river, and to erect durable monuments on

said line; which line, when run as aforesaid, shall forever be considered as the true dividing line between the towns aforesaid. And it shall be the duty of said Committee to deliver a copy of their award or doings to the Town Clerks of said Durham and Pejepscot.

CHAP. CLXXXIX.

Resolve for the payment of claims allowed at the War-Office.
15th February, 1816.

Schedule of claims against the Commonwealth of Massachusetts, allowed at the War Office, between the 9th and 15th of Feb. 1816:

To General John Blake for Captain Daniel Webster's company pay roll, 4th Regiment, 1st brigade, 10th division,	$75 60
Also, for Captain Timothy W. Sibley's company pay roll, same regiment,	76 10
Also, for General Blake's services from 1st to 10th September, 1814, inclusive, as Brigadier-General of 1st brigade, 10th division,	49 89
To the town of Mendon, for rations and transportation,	30 40
To Alfred Johnson, Jr. for iron work, &c. artillery, 10th division,	10 87
To Elias Dudley for damages done his house, and for use of it quartering troops at Hampden,	100 00
To the town of Parsonsfield for rations and transportation,	30 70
To the town of Salem, for rations, &c.	316 96
To William Coolidge, for transportation at Portland, &c.	246 13
To Jonathan Wilson, for toll for troops, baggage waggons, artillery, &c. at Belfast East Bridge,	40 00
To the town of Buckstown for rations,	65 00
To Thomas M'Clure, for Tim. Fitch and Ichabod Crocker's bill ferrying troops, Damascotta,	66 67
To Joseph H. Dorr, for Jonathan Bartlett's account, Brigade-Major, second brigade, tenth division,	100 00
To town of Readfield, for rations, &c.	14 00
To Joseph H. Pierce, for his services as Secretary in War-Office, to 13th inst.	100 00

To Noah Shattuck for Stilman Rixford's claim,	2 44
For William Shattuck's claim,	2 44
To Ebenezer Poor, Surgeon first regiment, second brigade, thirteenth division,	14 33
To the town of East Andover, for rations, &c.	37 90
To Jacob Kuhn, for attendance in the War Office, to July 15, 1815,	27 00
To Adam Rupp, for the purpose of discharging his Surgeon's bill and expenses, &c. up to this time (February 15th, 1816) in consequence of an amputation occasioned by an injury received in firing the guns at Fort Strong, in November, 1814,	200 00
To Richard D. Tucker, for damages done to his buildings at Cambridgeport, and for the rent of the same, while the troops were quartered therein, 1814,	75 00
	1681 43

War Office, February 15, 1816.

The undersigned, in compliance with his duty, respectfully reports, that since his certificate of allowances made at the War Office up to the 8th instant, he has received the unadjusted claims on the Commonwealth, from the corporations and persons, stated on the annexed schedule; and liquidated the same at the sums set against their repective names; which, when paid, will be in full for their several exhibits.

EDWARD H. ROBBINS.

The Committee of Senate, to whom was referred the foregoing report, have considered the same, and ask leave to submit the following resolution; which is submitted by

LATHROP LEWIS, Chairman.

Resolved, That his Excellency the Governor be, and he hereby is requested to draw his warrant on the Treasurer for the sum of one thousand six hundred eighty-one dollars and forty-three cents, in favor of the several corporations and individuals stated in the foregoing account, which sums, when paid, shall be in full compensation for the several exhibits to which they refer.

CHAP. CXC.

Resolve on the representation of Alden Bradford, Esquire, Secretary of the Commonwealth. 15th February, 1816.

The Committee to whom was committed the petition of Alden Bradford, Esqr. and the resolve thereon, report, that they have examined his account exhibited, and find he has received from June 6th, 1812, up to and including February 10, 1816, seventeen hundred sixty dollars and ninety-two cents by fees of office and otherwise, and that he has paid for extra Clerk hire, and sundry incidental expenses in his office, seven hundred thirty dollars and twelve cents, leaving a balance of one thousand thirty dollars and eighty cents in his hands, to be accounted for: They, therefore submit the following resolve.

Resolved, That Alden Bradford, Esqr. Secretary of this Commonwealth be, and he hereby shall be exonerated from all demands the Commonwealth may now have against him for all monies he has received by fees of office, or otherwise, from June the sixth, one thousand eight hundred and twelve, up to and including February the tenth, one thousand eight hundred and sixteen, on his paying into the Treasury the said balance of one thousand and thirty dollars and eighty cents.

CHAP. CXCI.

Resolve directing the Secretary to purchase five hundred and fifty copies of first volume of the Term Reports. 15th February, 1816.

Resolved, That the Secretary of the Commonwealth be directed to purchase five hundred and fifty copies of the first volume of the Massachusetts Term Reports, so soon as a new edition thereof shall be published and ready for delivery; provided he can obtain the same well bound and lettered, at a price not exceeding two dollars and fifty cents a volume. And whenever he shall have so purchased and received the same, he is directed to transmit one copy to

the Clerk of each town, district and unincorporated plantation which has been required to assess taxes upon themselves towards the support of government, for the use of their respective inhabitants, and to lay his account before the Governor, who is hereby requested to draw his warrant on the Treasurer for the payment thereof.

CHAP. CXCII.

Resolve for paying the Assisants of the Messenger of the General Court. 15th February, 1816.

Resolved, That there be allowed and paid out of the public Treasury of this Commonwealth to Henry Bacon, Lewis Low, and Ward Lock, assistants to the Messenger of the General Court, one dollar per day each, during the present session of the Legislature, in addition to the usual allowance of two dollars per day.

CHAP. CXCIII.

Resolve providing for the pay of the Page of the House of Representatives. 15th February, 1816.

Resolved, That there be paid out of the Treasury of the Commonwealth to the Messenger, to be by him paid over to Joseph Francis, one dollar and twenty-five cents per day, for each day he, the said Francis, shall have attended as Page of the House of Representatives, the present session of the General Court.

CHAP. CXCIV.

Resolve making an allowance to Isaac Adams, Assistant to the Messenger of the Gavernor and Council. 15th February, 1816.

Resolved, That there be allowed and paid to Isaac Adams, Assistant to the Messenger of the Governor and

Council, two dollars and fifty cents a day, for his attendance and services the present session of the Council, and for every day which he may be employed as an Assistant to the said Messenger. And his Excellency the Governor with the advice of Council, is hereby authorized to draw his warrant on the Treasurer of the Commonwealth for paying said Adams accordingly.

CHAP. CXCV.

Resolve granting five hundred dollars to Benjamin Whitwell, Esquire, for his services as Deputy Secretary.
15th February, 1816.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth to Benjamin Whitwell, Esq. the sum of five hundred dollars, in full compensation for his services as Deputy Secretary of the Commonwealth for one year, ending on the first day of August, Anno Domini one thousand eight hundred and fifteen; and that his Excellency the Governor be requested to draw his warrant on the Treasurer for that sum.

CHAP. CXCVI.

Resolve appointing a Committee to revise the Probate Laws.
15th February, 1816.

Resolved, That the Honorable Thomas Dawes, Nathan Dane, and John Pickering, Esquires, be a Committee for the purpose of revising the Probate Laws; and that the resolve on this subject, passed at a former day of the present session of the General Court be, and the same hereby is repealed.

CHAP. CXCVII.

Resolve on the petition of the town of Jay, making valid their records. 16th February, 1816.

On the petition of the inhabitants of the town of Jay, setting forth that the Town Clerks of said town have omitted

to attest the records of said town, and likewise have omitted to make record of the oaths administered to the officers, of whom an oath is required, and praying relief in the premises.

Resolved, For the reasons set forth in said petition, that the prayer of said petitioner be granted; and that the said records be and the same are hereby made valid to all intents and purposes, in like manner as if the same had been duly attested by said Town Clerks; and that the doings of all officers as aforesaid, to whom oaths have been administered, shall be, and the same are hereby made valid to all intents and purposes, in like manner as if a record had been made of said oaths.

CHAP. CXCVIII.

Resolve making an allowance to Thomas Walcutt for his services in assisting the Members of the Legislature.
16th February, 1816.

Resolved, That there be allowed and paid out of the public Treasury to Thomas Walcutt, a Clerk in the lobbies, for the assistance of the Members of the Legislature, one hundred and fifty dollars, in full for his services during the present session of the General Court.

CHAP. CXCIX.

Resolve to pay the Clerks of the General Court.
16th February, 1816.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Samuel F. McCleary, Clerk of the Senate, the sum of four hundred dollars; to Benjamin Pollard, Clerk of the House of Representatives, the sum of four hundred dollars; and to Robert C. Vose, Assistant Clerk of the Senate, the sum of three hundred dollars—in full for their respective services in the capacities aforesaid, during the present session of the General Court.

ROLL No. 74....January, 1816.

The Committee on Accounts, having examined the several accounts, they now present,

REPORT, That there are due to the Corporations, and persons, hereafter mentioned, the sums set to their names respectively, which, when allowed and paid, will be in full discharge of the said accounts to the several dates therein mentioned; which is respectfully submitted:

SILAS HOLMAN, *per order.*

PAUPER ACCOUNTS.

Abington, for board and clothing Thomas Seymour, to 24th January, 1816,	$ 81 50
Avon, for board, doctoring and nursing Jonathan Corlis till his death, and funeral charges, December, 1815,	156 00
Alford, for board, clothing and doctoring Anna Sampson, to 7th December, 1815,	27 75
Ashburnham, for board and supplies to sundry paupers, to 1st March, 1815,	15 70
Adams, for board and clothing sundry paupers, to 9th January, 1816,	169 39
Andover, for board and clothing sundry paupers, to 1st of February, 1816,	143 95
Attleborough, for board and supplies to sundry paupers, to 20th January, 1816,	106 30
Baldwin, for board and clothing Daniel Hickey, to 1st January, 1816,	67 20
Barnardston, for board and clothing Oliver Stephens, to 15th January, 1816,	90 01
Belgrade, for board of Abigail Odlin, to 8th January, 1816,	31 50
Becket, for board and clothing Bristol Bogart, till his death, November, 1815,	54 00
Barre, for board and clothing Samuel Lee, to 25th January, 1816,	28 40
Bowdoinham, for board and clothing Betsey Parker, to 27th December, 1815,	113 40

Bradford, for board and clothing Joshua Alsace, to 1st January, 1816, 45 84
Boxford, for board and clothing Mehitable Hall, to 14th January, 1816, 62 00
Belchertown, for board and clothing sundry paupers, to the 1st February, 1816, 109 12
Brimfield, for board and clothing John Christian and Robert Campbell, to 20th January, 1816, 84 40
Bridgewater, for board and clothing sundry paupers, to 29th 1816, 234 09
Bradford, Samuel, keeper of the goal in Boston, for support of sundry poor prisoners, to 1st Jan. 1816, 531 65
Boston, for board and clothing sundry paupers, to 1st December, 1815, 5,861 81
Beverly, for board and clothing sundry paupers, to 1st January, 1816, 192 28
Boston Board of Health, for support of sundry paupers, to 3d of February, 1816, 153 87
Chester, for board and clothing George Butolf and wife, to 6th January, 1816, 146 80
Canton, for board and clothing John Cole, to 1st June, 1815, 33 60
Cushing, for board and clothing James Walker, to 17th January, 1816, 67 70
Cambridge, for board and clothing sundry paupers, to 20th January, 1816. 179 86
Chelmsford, for board and clothing sundry paupers, to 1st January, 1816, 135 80
Colrain, for board and clothing sundry paupers, to 12th January, 1816, 136 00
Camden, for board and clothing John Bloom, to 24th January, 1816, 47 59
Cheshire, for board and clothing sundry paupers, to 23d January, 1816, 148 58
Carlisle, for board and clothing Robert Barbour, to 7th January, 1816, 38 85
Castine, for board and clothing James Buckley and Catharine Mc Coy, to 1st January, 1816, 170 25
Cape-Elizabeth, for board and clothing James Ramsbottom and George Young, to 1st January, 1816, 81 60
Concord, for board and clothing Case a coloured man, to 28th January, 1816, 76 74

Charlestown, for board and clothing sundry paupers, to 3d of February, 1816,	555	73
Chesterfield, for board and clothing sundry paupers, to 21st January, 1816,	121	69
Dorchester, for board and clothing John Harrison and Thomas Wyman, to 31st January, 1816,	78	00
Dedham, for board and doctoring, and nursing sundry paupers, to 11th January, 1816,	83	37
Dracut, for supplies furnished Richard Baker, to 23d January, 1816,	61	00
Dresden, for support of John Cullen, to 1st January, 1816,	67	20
Danvers, for board and clothing sundry paupers, to 6th February, 1816,	1173	59
East Hampton, for board of Garret Decker till he left town,	17	50
Eastport, for board and clothing William Johnson and John Smith, to 24th January, 1814,	107	15
Elliot, for board and clothing Jacob Brewer and Abigail Randall, to 14th January, 1816,	79	70
Egremont, for board and clothing sundry paupers, to 14th January, 1816,	304	48
Falmouth, Cumberland County, for board and clothing Felecian Sang, to 8th January, 1816,	67	20
Frankfort, for board of Hatfield Coltson, to 1st January, 1816,	30	00
Falmouth, Barnstable County, for board of Edward Edwards, to 19th January, 1816,	26	00
Framingham, for support of Lucy Green, to 18th January, 1816,	23	40
Granville, for board and clothing George Taylor, to 1st January, 1816,	37	50
Greenwich, for board and clothing sundry paupers, to 14th January, 1816,	187	44
Groton, for board and clothing sundry paupers, to 10th January, 1816,	470	67
Gorham, for board and clothing Robert Gillfillen, to 1st February, 1816,	132	00
Granby, for board, clothing and doctoring Ebenezer Darvin and John Wilson, to 12th January, 1816,	133	49
Gill, for board and clothing Sarah Hamilton and Nathaniel Nickols, to 27th January, 1816,	188	76

Grafton, for board and clothing Isaac Newman, to 10th January, 1816, 67 20

Greenfield, for board and clothing Lazarus Tolle's wife, and Eunice Convers to the time of her death, 1st January, 1816, 181 46

Great Barrington, for board and clothing sundry paupers, to 9th January, 1816, 258 80

Gloucester, for board and clothing sundry paupers, to 10th November, 1815, 1103 00

Hallowell, for board and clothing sundry paupers, to 31st December, 1815, 439 20

Hadley, for board and clothing Friday Allen and Rebecca Allen, to 6th January, 1816, 112 00

Hamilton, for board, clothing, doctoring and nursing Molly M'Kue, to 5th April, 1815, 72 95

Hodgkins, Joseph, keeper of the house of correction, Essex County, for support of sundry paupers, to 31st January, 1816, 226 74

Hopkinton, for support of Dinah, a negro woman, to 6th February, 1816, 56 80

Haverhill, for board, clothing and doctoring William Tapley, to 1st January, 1816, 75 20

Hancock, for supporting Rebeccah Osborn and Widow Winn, to 1st of January, 1816, 110 84

Ipswich, for board and clothing sundry paupers, to 1st February, 1816, 409 97

Kittery, for board and clothing Sarah Perkins and Deborah Perkins and child, to 1st of January, 1816, 146 64

Kingston, for supplies to Elizabeth Renny and two children, to 2d January, 1816, 30 75

Litchfield, for board, clothing, doctoring and nursing John Taylor's two children, to 1st June, and Daniel Howard to time of his death, and funeral charges, October, 1815, 82 03

Liecester, for board, doctoring and nursing Bridget Murey, to 3d August, 1815, 41 80

Leeds, for board and clothing Nicholas Tallier, to 2d January, 1816, 61 25

Lincolnville, for board and clothing Alexander White, Timothy Cox, and Edward Oram, to 1st January, 1816, 111 32

Lee, for board, clothing, doctoring and nursing sundry paupers, to 10th January, 1816, 264 84

Lenox, for board and clothing sundry paupers, to 11th January, 1816, 159 06
Lanesborough, for board, clothing and supplies to sundry paupers, to 31st December, 1815, 254 52
Leyden, for board and clothing sundry paupers, to 20th January, 1816, 92 05
Limington, for board to John O. Ryan, to 31st December, 1815, 67 20
Lynn, for board and clothing sundry paupers, to 25th, 1816, 720 38
Long Meadow, for board and clothing Peter Dunkin, to 24th January, 1816, 94 00
Mount Vernon, for supplies to William Hammond's family, to 4th January, 1816, 28 90
Machias, for board and clothing Anthony Pepper and Moses Wheaton, to 31st December, 1815, 75 75
Monmouth, for board, clothing and supplies to sundry paupers, to 15th January, 1816, 101 17
Minot, for board of Philip Weeks, to 15th January, 1816, 55 00
Marlborough, for board and clothing Joseph Waters, to 28th November, 1815, 93 00
Montague, for board and nursing Joshua Searl, to 14th January, 1816, 57 54
Middleborough, for board and clothing John Fitzgerald and Betsy White, to 10th January, 1816, 124 00
Manning, Thomas, for doctoring sundry poor prisoners, in Ipswich goal, to 1st January, 1816, 87 50
Medfield, for board, doctoring and nursing George Turner, to 19th January, 1816, 74 15
Milford, for board and clothing Betsy Gould, to 30th January, 1816, 77 20
Marblehead, for board and clothing sundry paupers, to 30th January, 1816, 423, 41
North Yarmouth, for board and clothing George Young, to August 29th, 1814, 35 50
Newry, for board and clothing William Burk, to 1st January, 1816, 41 10
North Hampton, for board, clothing and doctoring sundry paupers, to 15th January, 1816, 174 10
New Ashford, for board and clothing Rebecca Mosher, to 13th, 1816, 18 36
Northfield, for the support of Amos Riley, a child, to 18th, 1816, 28 77

North Brookfield, for board, clothing and doctoring sundry paupers, to 1st January, 1816, 192 28
New Gloucester, for board and supplies to sundry paupers, to 21st December, 1815, 262 86
Newbury, for board and clothing sundry paupers, to 1st January, 1816, 1377 56
Newburyport, for board and clothing sundry paupers, to 1st January, 1816, 1907 92
Overseers of Marshpee Indians, for board and clothing sundry paupers, to 1st January, 1816, 493 20
Oliver, Daniel, for doctoring sundry criminal prisoners, to 1st January, 1816, 15 00
Phipsburgh, for board and clothing Jacob Wheeler, to 25th December, 1815, 22 82
Palmer, for board, clothing and doctoring William and Phebe Mendon, to 20th January, 1816, 146 60
Peru, for board, clothing and doctoring James Robbins, to 15th January, 1816, 15 94
Pittstown, for supplies furnished the wife and children of Robert M'Knight, to 21st October, 1815, 100 00
Pittsfield, for board, clothing and doctoring sundry paupers, to 31st December, 1815, 473 50
Plymouth, for board and clothing sundry paupers, to 21st January, 1816, 560 56
Parsonsfield, for support of Lucy Miles, to 15th December, 1815, 19 74
Portland, for board and clothing sundry paupers, to 1st January, 1816, 1237 47
Quincy, for board and nursing William Oliphant, to 25th, 1815, 52 03
Rehoboth, for board, clothing and doctoring sundry paupers, to 1st January, 1816, 314 86
Rutland, for board, clothing and doctoring William Henderson, to 1st January, 1816, 39 62
Roxbury, for board, clothing and doctoring sundry paupers, to 3d January, 1816, 361 35
Rochester, for board and doctoring William Hale, to 4th February, 1814, 22 70
Rowley, for board, clothing and nursing Ella Collins and Benoni Dow, to 1st January, 1816, 95 86
Richmond, for board and clothing Thomas Rowly, and Samuel Hill, to 29th January, 1816, 142 20
Sandisfield, for board and clothing Richard Dickson and wife, to 1st January, 1816, 30 57

Sutton, for supporting Isabella Santee's five children, to 11th January, 1816,	87 00
St. George, for board and clothing Robert Hawes, to 12th January, 1816,	53 90
Spencer, for board, clothing and doctoring John Landers, to 6th January, 1816,	67 20
Shrewsbury, for support of Leander Tay, till bound out, November 8th, 1815,	22 39
South Berwick, for board and clothing Lemuel Woodworth, to 15th January, 1816,	49 50
Sterling, for board, clothing and doctoring Jemima Pike, to 4th January, 1816,	67 10
Sandwich, for board, clothing and doctoring Richard Crouch and Rebecca Simmonds, to 4th January, 1816,	71 00
Shelburn, for board, clothing, doctoring and supplies to sundry paupers, to 14th January, 1816,	83 25
Saco, for board, clothing, doctoring and supplies to sundry paupers, to 10th January, 1816,	52 02
Sanford, board, clothing and doctoring Rachel Jourdan and two children, to January, 1816,	28 07
Shirley, for board and clothing Simon Cox and Molley Farr, to 29th January, 1816,	174 23
Sheffield, for board and clothing sundry paupers, to 16th January, 1816,	188 77
Sharon, for board and clothing Daniel Frazler, to 28th December, 1815,	10 70
Swansey, for board and clothing Garret Barnes and James Garnet, to 13th January, 1816,	82 24
Sherburne, for board of Benjamin Haughton to 29th January, 1816,	52 00
Sudbury, for board and clothing John Whitton, to 11th February, 1816,	90 31
Stockbridge, for board, clothing and doctoring sundry paupers, to 6th June, 1815,	123 40
Sturbridge, for support of London Derry, to 4th January, 1816,	72 40
Salem, for board and clothing sundry paupers, to 1st January. 1816,	3722 28
Tyringham, for board, clothing and doctoring Elijah Dart and Ralph Wey till his death, and funeral charges,	97 85
Turner, for board, clothing and doctoring William G. Martin, to 26th August, 1815,	38 75

Topsham, board and clothing John Duggin, to 28th January, 1816,	78 00
Troy, for board and clothing Betsy Bell, to 20th January, 1816,	70 80
Taunton, for board, clothing, doctoring and supplies to sundry paupers, to 1st January, 1816,	337 07
Thomastown, for board and clothing John Anderson, to 12th January, 1816,	57 20
Uxbridge, for board and clothing sundry paupers, to 2d January, 1816,	120 64
Vassalborough, for board, clothing, doctoring and nursing Gustavus Fellows, to 19th Jan'y. 1816,	195 25
Warren, for board and clothing Hannah Annis, Robert Brown and William Mearman, to 4th January, 1816,	154 00
Worcester, for board, clothing and doctoring sundry paupers, to 1st January, 1816,	311 02
Wellington, for board and clothing Catherine Butler, to 1st September, 1815,	67 50
Windsor, for board, clothing and doctoring the wife of Henry Smith, to 16th January, 1816, and Henry Smith till his death, and funeral charges,	68 79
West Stockbridge, for board and clothing Lucy Lane and James C. Briggs, to 1st Jan'y. 1816.	108 50
Westfield, for board and clothing sundry paupers, to 1st January, 1816,	105 69
Williamstown, for board and clothing sundry paupers, to 21st January, 1816,	139 65
Westport, for board and clothing Henry Pero, a child, to 10th January, 1816,	6 60
Walpole, for board, clothing and doctoring sundry paupers, to 24th January, 1816,	191 18
West Springfield, for board, clothing and doctoring sundry paupers, to 8th January, 1816,	128 44
Wilbraham, for doctoring Gideon Lewis, to November 16th, 1815,	36 86
Wrentham, for board and clothing Daniel Fitzgerald, to 1st January, 1816,	56 93
Westford, for board and clothing Christopher Shephard, to 1st February, 1816,	75 00
Wiscassett, for board, clothing, doctoring and supplies to sundry paupers, to 1st February, 1816,	115 01

Westbrook, for board, doctoring and nursing Samuel Brown, to 26th May, 1816,	76	00
Winthrop, for board and clothing sundry paupers, to 4th January, 1816,	160	00
Watertown, for board and clothing Nicholas Johnson and Deborah Barnes, to 18th June, 1815,	77	10
York, for board and clothing sundry paupers, to 1st February, 1816,	526	26
Total Paupers,	36,672	34

MILITARY ACCOUNTS.

Courts Martial and of Inquiry.

Allen, Samuel, Jun'r. for the expense of a Court Martial, holden at Brookfield, in January, 1816, whereof Col. Thomas Wheeler was President,	145	93
Allen, Samuel, Jun'r. for the expense of a Court of Inquiry, holden at Oxford, in January, 1816, whereof Col. Ezekiel Preston was President,	56	33
Brooks, John, Adjutant General, for the expense of a Court of Inquiry, holden at Bangor, in June 1815, whereof Major General Henry Sewell was President	642	69
Brooks, John, Adjutant General, for the expense of a Court Martial, holden at Bath, in July, 1815, whereof Major General William King was President,	816	75
Hight, William, for the expense of a Court of Inquiry, holden at York, whereof Col. William Frost was President,	59	64
Hight, William, for the expense of a Court of Inquiry, holden at Berwick, in July, 1815, whereof Major George Applebee was President,	31	62
Sampson, Joseph, for the expense of a Court Martial, holden at Sandwich, in May, 1815, whereof Col. John Thomas was President,	203	11
Scott, B. William, for the expense of a Court Martial, holden at Newburyport, in January, 1816, whereof Col. Benjamin Evans was President,	241	11
Starr, James, for the expense of a Court Martial, holden in October, 1815, whereof Col. Cyrus Clark was President,	849	84

Sewell, B. William, for taking Depositions, making out Notifications, and for Cash paid Deputy Sheriff for serving the same, for the Investigation of the Election of Major William Slemons; by order of the Commander in Chief,	5 99
	3053 01

Brigade-Majors and Aids-de-Camp.

Allen, James, to 28th December, 1815,	57 10
Atherton, A. W. to 1st January, 1816,	32 22
Barnard, F. Robert, to 26th December, 1815,	43 75
Bliss, George, to 1st December, 1815,	61 25
Bartlett, Jonathan, to 13th December, 1813,	409 50
Blake, James, to 23d January, 1816,	173 81
Dutch, Ebenezer, to 26th January, 1816,	52 64
Fogg, Simeon, to 13th January, 1816,	59 62
Goodwin, M. John, to 1st August, 1815,	12 98
Greunell, George, to 11th December, 1815,	31 86
Hyde, Zena, to 9th November, 1815,	104 77
Hubbard, Russell, to 1st January, 1816,	48
Hight, William, to 2d December, 1815,	55 15
Hubbell, Calvin, to 1st January, 1816,	66 73
Howard, Samuel, to 27th June, 1815,	118 20
Heywood, Nathan, to 20th January, 1816,	111 20
Ives H. George, to 23d December, 1815,	16 50
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Blake, James, to 1st October, 1815,	27	20
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Dorr, M. Richard, to 1st October, 1815,	35	75
Farrell, Gideon, to 1st October, 1815,	37	50
Fales, C. Samuel, to 1st October, 1815,	22	30
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Pollard, Oliver, to 5th October, 1815,	17	65
Plinney, Elias, to 1st October, 1815,	29	50
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Bancroft A. William, to 3d September, 1815,	24	70
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Cushing, Ned, to 7th October, 1815,	27 22
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Callender, Benjamin to 1st January, 1816,	11 22
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Draper, William, to 1st January, 1816,	25 65
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Leonard, B. E. to 22d January, 1816,	30 09
Larrabee, William, to 29th September, 1815,	13 03
Law, Perley, to 27th August, 1815,	13 85
Marston, Jonathan, to 1st January, 1816,	75 50
Mower, John, to 6th January, 1816,	8 61
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Wade, Foster, to 2d October, 1815,	2	92
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Wheelright, George, to 1st January, 1816,	8	37
Waugh, David, to 8th July, 1815,	81	76
	2620	69

Expenses for Horses to haul Artillery.

Bacheller, jun. Samuel, to 4th January, 1816,	10	
Brown, James, to 10th October, 1815,	12	50
Bonner, Philip, to 7th February, 1816,	35	
Burr, Martin, to 14th October, 1815,	20	
Batchelder, Jeremiah, to 26th October, 1815,	4	50
Crosby, Abiel, to 1st January, 1816,	8	
Cooledge, Josiah, to 14th December, 1815,	15	
Cobb, William, to 30th January, 1816,	42	
Coffin, Samuel, to 30th October, 1815,	30	
Cobb, Mc, William, to 11th October, 1815,	18	
Dewey, Calvin, to 6th January, 1816,	5	
Derby, Benjamin, to 12th October, 1815,	15	
Elwell, Abiel, to 5th October, 1815,	5	
Eastman, Robert, to 15th January, 1816,	6	25
Gilley, John, to 11th January, 1816,	10	

Graves, Samuel, to 19th January, 1816,	5	
Goldthwait, Moses, to 18th January, 1816,	10	
Hopkins, Charles, to 13th October, 1815,	5	
Harrington, Nathaniel, to 10th October, 1815,	8	34
Heald, Ebenezer, to 16th September, 1815,	5	
Kingman, Samuel, to 13th January, 1816,	5	
Leighton, Isaac, to 14th September, 1815,	5	
Parker, Lewis, to 4th October, 1815,	5	
Putnam, Jesse, to 22d January, 1816,	8	
Partridge, Nathan, to 10th October, 1815,	5	
Phelps, Ansel, to 11th September, 1815,	2	
Pearsons, Thomas, to 1st November, 1815,	30	
Ranlet, Samuel, to 14th September, 1815,	5	
Richardson, Leonard, to 9th October, 1815,	6	25
Shaw, Southworth, to 21st September, 1815,	12	50
Sweetser, John, to 10th October, 1815,	10	
Smith, E. Joseph, to 22d January, 1816,	25	
Smith, M. Edmund, to 1st January, 1816,	15	
Thayer, Rufus, to 12th October, 1815,	7	50
Thaxter, Jonathan, to 12th October, 1815,	35	
Ware, Nathan, to 11th October, 1815,	8	
Washburn, Eliab, to 7th October, 1815,	5	
Whipple, Henry, to 22d January, 1816,	8	
Wheeler, Francis, to 10th October, 1815,	8	75
	475	59

Courts Martial, &c.	3053	01
Brigade Majors, &c.	2491	07
Brigade Quarter Masters,	371	95
Adjutants,	2620	69
For Artillery Horses,	475	59
Total Military,	9012	31

SHERIFFS' AND CORONERS' ACCOUNTS.

Baker, John, Coroner Norfolk County, for Inquisition and burial expences of a stranger, November, 1815,	23	65
Brewer, William, Coroner Norfolk County, for Inquisition and burial of a stranger, Octo. 1815,	21	87
Bartlett, Bailey, Sheriff of Essex County, for returning votes and distributing precepts, to April, 1815,	15	78

Cooper, John, Sheriff of Washington County, for returning votes and distributing precepts, to 23d April, 1815,	114 76
Crane, Elijah, Sheriff of Norfolk County, for returning votes, May, 1815,	1 86
Folsom, John, W. Coroner Suffolk County, for Inquisition on the bodies of sundry strangers, and burial expences, November, 1815,	58 11
Hunnewell, Richard, Sheriff of Cumberland County, for returning votes to June, 1815,	10 00
Hoyt, Ephriam, Sheriff of Franklin County, for returning votes, to December, 1815,	7 60
Loring, Job, Coroner Plymouth County, for Inquisition on the body of a stranger, and burial expences, September, 1815,	24 68
Leonard, Horatio, Sheriff of Bristol County, for returning votes, to May, 1815,	3 20
Sawtel, Richard, Sheriff of Somerset County, for returning votes, May, 1815,	17 60
Thatcher, Samuel, Sheriff of Lincoln County, for returning votes, April, 1815,	16 00
Will, Thomas, Coroner Essex County, for Inquisition on the body of a stranger, and burial expences, August, 1815,	53 35
Worth, Jethro, Sheriff of Dukes County, for returning votes, April, 1815,	8 00
Total Sheriffs and Coroners,	375 96

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Allen, Phinehas, for publishing Acts and Resolves to January, 1815,	16 67
Allen, Ero, for publishing Acts and Resolves, to August, 1815,	16 67
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Phelps, Ansel, for publishing Acts and Resolves to 1st , 1815,	16 67
Russell, Benjamin, for publishing Acts and Resolves, to December, 1815,	16 67
Russell, Benjamin & Co. for printing for the government, to February 10th, 1816,	2069 14
Wells & Lilly, for printing for the government, to February, 1816,	12 00
Total Printers,	2231 17

MISCELLANEOUS ACCOUNT.

Bacon, Henry, for assisting the Messenger of the General Court, to 15th February, 1816,	72 00
Bradford & Read, for Stationary furnished the government, to February 10th, 1816,	144 00
Boston Board of Health, for sundry repairs to Hospital buildings on Rainsford Island, to February, 1816,	1127 85
Bradlee, Samuel, for sundry supplies to repair the State House, January, 1816,	60 58
Blaney, Henry, for repairs on the State House, January, 1816,	10 60
Burditt, James W. for Stationary, furnished the government, to February, 1816,	188 60
Cummings & Hilliard, for paper supplied the Secretary, to January, 1816,	15 00
Coates & Vose, for repairing chairs for State House, to February, 1816,	2 50
Committee for examining Treasurer's accounts, by order of government—viz.	
Thomas H. Perkins, 14 00	
Joseph Bemis, 14 00	
Andrew Sigourney, 14 00	
William Brewer, 14 00	56 00
Committee on public business by order of government, viz. Harrison G. Otis, 72 60	
Thomas H. Perkins, 72 60	
William Sullivan, 72 60	217 80
Durant, William, for repairing windows of State House, to December, 1815,	78 21

Fessenden, Benjamin, for lime and sand for State House, to October, 1815,	13 25
Gore, Samuel, for sundry paints and oil for State House, January, 1816,	21 69
Glass Manufactory, for glass furnished for State House, to December, 1815,	112 07
Hayden, Abel, for taking up and burial of the body of a stranger, September, 1815,	10 00
Howe, John, for lumber to repair the State House, to November, 1815,	102 12
Howe, Joseph, for hard ware, &c. for the State House, to January, 1816,	11 27
Kuhn, Jacob, for repairs on Government House, on Hancock-Street, to January, 1816,	212 55
Loring, Josiah, for stationary furnished the Government, to February 13th, 1816,	55 31
Lock, Ward, for assisting the Messenger to the General Court, to 15th February, 1816,	60 00
Low, Lewis, for assisting the Messenger to the General Court, to 15th February, 1816,	70
Lincoln, Amos, for sundry repairs to State House, to December, 1815,	56 91
Lincoln & Jackson, for lumber furnished for State House, to September, 1815,	22 85
Munroe, Francis & Parker, for printing and bookbinding for government, to January, 1816,	15 75
Roulstone, John, for trucking books and papers to September, 1815,	3 00
Spear, Henry, for one year's salary as Island keeper, to March, 1816,	44 44
Tileston & Weld, for printing and engraving for Agricultural Society, January, 1816,	232 00
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Wheeler, John H. for sundry repairs to State House, to 19th January, 1816,	221 38
Whitney, Jonathan, for sundry repairs to State House, to 15th January, 1816,	430 02
Total Miscellaneous,	3712 01

Aggregate of Roll No. 74.

Expenses of State Paupers,	36,722	34
Do. of Militia,	9,012	31
Do. of Sheriffs and Coroners,	375	96
Do. of Printers,	2,231	17
Do. of Miscellaneous,	3,712	01
	$52,053	79

Resolved, That there be allowed and paid out of the public Treasury, to the several Corporations and persons mentioned in this Roll, the sums set against such Corporations and persons' names respectively, amounting in the whole, to the sums of fifty-two thousand and fifty-three dollars and seventy-nine cents, the same being in full discharge of the accounts and demands to which they refer.

February 14*th*, 1816.

Approved by the Governor.

COMMONWEALTH OF MASSACHUSETTS.

Secretary's Office, May 28*th*, 1816.

By this I certify, that the Resolves contained in this pamphlet, passed at the session of the General Court, beginning the 10th of January, and ending the 16th of February, A. D. 1816, have been examined and compared with the originals in this Office, and appear to be correct.

ALDEN BRADFROD,

Secretary of the Commonwealth.

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TO THE RESOLVES PASSED AT THE SESSION BEGINNING JANUARY 10th, 1816, AND ENDING FEBRUARY 16th, 1816.

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OF THE

GENERAL COURT

OF THE

Commonwealth of Massachusetts,

PASSED AT THEIR SESSION,

WHICH COMMENCED ON WEDNESDAY, THE TWENTY-NINTH DAY OF MAY, AND ENDED ON THE TWENTIETH OF JUNE, 1816.

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1816.

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Freeport, Josiah W. Mitchell.
Brunswick, David Dunlap,
Robert Dunlap Duning.
Durham.

Harpswell,
Stephen Purinton.
New Gloucester.
Pejepscot.
Poland, Josiah Dunn.
Minot, William Ladd,
Seth Chandler.
Raymond.
Baldwin.
Bridgetown.
Otisfield, Grinfill Blake.

LINCOLN.

Wiscasset, Abiel Wood,
Daniel Quinnam.
Woolwich, Richard Harnden.
Dresden, Daniel Cate.
Alna.
Whitefield.
Jefferson.
New Castle, Charles Nickels.
Edgcumbe.
Boothbay.
Bristol, Samuel Tucker.
Nobleborough,
Ephraim Rollins.
Waldoborough.
Jacob Ludwig, jun.
Henry Flagg,
Charles Miller.
Friendship, Melzar Thomas.
Cushing, James Malcom.
St. George, Joel Miller.
Thomaston, Isaac Bernard,
John Spear.
Warren, Cyrus Eaton,
Jesse Page.
Camden.
Hope.
Union.
Putnam.
Palermo, Moses Burley.
Montville. Cyrus Davis.
Georgetown.
Phipsburg,
Patrick Drummond.
Bath, Samuel Davis,
James McLellan.
Topsham, Benjamin Hasey.
Bowdoin, John Hall.
Bowdoinham,
Syms Gardner.
Lewistown.
Lisbon.
Litchfield, John Neal,
David C. Burr.

KENNEBECK.

Augusta, Rober Howard,
Henry W. Fuller.
Hallowell, John Sewall,
Benjamin Dearborn.
Gardiner, James Marston.
Monmouth, Abraham Morrill,
Greene, Luther Robbins.
Leeds, Daniel Lothrop.
Winthrop, Samuel Wood,
Alexander Belcher.
Reedfield.
Wayne.
Fayette, Elisha Pettingill.
Mount Vernon,
Nathaniel Rice.
Belgrade.
Sydney.
Waterville, Daniel Cook.
Dearborn.
Rome.

Vienna.
New Sharon,
Nehemiah Smith.
Chesterville.
Farmington.
Temple
Wilton, John Tufts.
Pittston.
Vassalborough,
Samuel Redington.
Winslow.
Harlem.
Malta.
Fairfax.
Freedom.
Clinton, Matthias Weeks,
Unity, Rufus Burnham.
Joy.

OXFORD.

Paris, Seth Morse,
Benjamin Chandler.
Hebron, William Barrows.
Buckfield, Benj. Spalding.
Turner, George French.
Livermore, Simeon Waters,
Ira Thomson.
Hartford.
Sumner.
Woodstock.
Greenwood.
Hiram.
Porter.
Brownfield, Timothy Gibson.
Denmark.
Sweden.
Norway, Levi Whitman.
Fryburgh,
Samuel Ayer Bradley.
Lovell.
Waterford.
Albany.
Bethel, Samuel Chapman.
Jay, James Starr, jun.
Dixfield.
Rumford.
Gilead.
Newry.
East-Andover.
Weld.

SOMERSET.

Norridgewock.
Bloomfield, Eleazer Coburn.
Fairfield, Elisha Nye.
Industry.
Mercer.
Starks, James Waugh.
Anson, John Moor.
New-Vineyard.
Strong.
Avon.
Embden.
New-Portland.
Freeman.
Canaan, John Wyman.
Cornville.
Madison.
Solon.
Athens.
Harmony.
St. Albans.
Palmyra.
Guildford.
Bingham.
Phillips.
Kingfield.
Moscow.

HANCOCK.

Castine, Thomas E. Hale.
Penobscot.
Orland.
Buckstown, Joseph Lee.
Ellsworth, John G. Deane.
Surry.
Blue Hill, Elias Upton.
Sedgwick, Daniel Morgan.
Trenton.
Sullivan.
Gouldsborough.
Eden.
Mount Desert.
Vinalhaven.
Deer-Isle, Pearl Spofford, Prescott Powers.
Isleborough.
Lincolnville, Thomas McKinney.
North-Port.
Belfast, John Merriam
Belmont.
Searsmont.
Prospect.
Frankfort, Joshua Hall.

PENOBSCOT.

Bangor, Robert Parker.
Orono.
Hampden, Elijah R. Sabin.
Hermon.
Dixmont.
Carmel.
Levant.
New-Port.
Corinth.
Exeter.
Garland.
New Charlestown.
Sangerville.
Sebeck.
Foxcroft.
Brewer.
Eddington.
Orrington, Enoch Mudge.

WASHINGTON.

Machias, Ebenezer Inglee.
Eastport.
Lubeck.
Calais.
Robbinston.
Jonesborough,
Addison.
Harrington.
Steuben.
Columbia.
Cherryfield.

Benjamin Pollard, Esq. *Clerk.*
Rev. Asa Eaton, *Chaplain.*
Theron Metcalf, Esq. *Reporter of Contested Elections.*

Jacob Kuhn, *Messenger to the General Court.*
John Low, jun. *Assistant Messenger.*
Joseph Francis, *Page to the House.*

RESOLVES

OF THE

GENERAL COURT OF MASSACHUSETTS,

PASSED AT THEIR SESSION,

WHICH COMMENCED ON THE 29th DAY OF MAY, AND ENDED ON THE 20th DAY OF JUNE, A. D. 1816.

GOVERNOR'S SPEECH.

REPRESENTATIVES' CHAMBER, JUNE 5th, 1816.

At 12 o'clock, the Senators attended in the Representatives' Chamber, agreeably to assignment, when His Excellency the Governor came in, accompanied by his Council, the Secretary of the Commonwealth, and other officers of government, and delivered the following

SPEECH :

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

AS we have assumed the several stations which the suffrages of our fellow-citizens have destined us to sustain for the present year, I avail myself of this customary interview to congratulate you on the return of this interesting season, and that our country is enjoying a state of peace and domestic tranquility.

The institution of civil government is essential to human happiness :—without government, existence would cease

to be a blessing. But as we can discern no ground in nature for the assumption of a right in one individual to control the actions of another, we conclude that all men are originally equal; and therefore that legitimate government must be derived from the will of the people. However, little the existing governments of the world, generally, may correspond with these positions, we have the satisfaction to reflect that Massachusetts, and her sister States, separately and conjointly, have realized and are now enjoying the right of self-government.

That a numerous population should assemble and legislate upon the multifarious concerns incident to the social state, is obviously impracticable.—Reflection and experience, however, suggested a convention, and a representative authority was the result of compromise. Every conceivable compact is preferable to anarchy. But if men duly estimate their own interests in commuting their natural rights, each individual, for the portion of liberty he surrenders, must receive in benefits from society far more than an equivalent.

The people of this State have been favored by an indulgent Providence, with an opportunity spontaneously of framing for themselves a Constitution of government upon the broad basis of equal rights. And we may be permitted to exult in the reflection that the great questions involved in forming a system of rules that must last indefinitely for ages, and influence the conditions of millions, were discussed with a degree of intelligence, and a spirit of candor and mutual concession which mark the period as an age of wisdom and virtue. In that interesting discussion, facts and principles were investigated; the most distinguished forms of civil polity, of which ancient and modern times furnished examples were analyzed; and the effects of each upon the character of man, and upon social happiness, were explored and elucidated as might have been expected among men thus informed; men whose ancestors had suffered under the lash of tyranny, and who were themselves menaced with similar evils: power was imparted to public agents with caution, and in every practicable instance, limited with precision. Such concessions, however, were made in favour of delegated authority as promised to insure tranquility, and a due execution of the laws.

It is obviously one of the leading objects of our Constitu-

ion, efficaciously to counteract the tendency of office to accumulate power, and so guard against an abuse of delegated trust.

Frequent elections are deemed necessary for preserving the original principles of the government in their purity; and it is no less requisite to that end that rulers should thoroughly understand and duly appreciate their importance. Principles are immutable—and our system is so framed as to leave as little as possible for construction. A popular government, destitute of a system of rules and principles, expressly distributing and modifying the delegated authority, and prescribing, as well to legislators as to magistrates, the conditions upon which it is to be exercised, must be fluctuating and transitory. The ancient republics afford a striking illustration of the truth of this remark. A division of the powers of sovereignty into several departments; the idea of vesting legislative power in two deliberate assemblies, each having a negative upon the other; of separating the executive from the legislative with a perfect or qualified negative upon the latter; and of establishing a judiciary independent of both, were *desiderata* in the ancient republics, which time and experience have since disclosed. And it is our happiness, gentlemen, to have our lot cast under a system of government constructed upon these principles. This system, being the ordinance of the people and enacted by them in the exercise of their natural and underived right of self control, justly and imperatively claims to be the supreme law of the State. The Constitution has been in operation nearly thirty-seven years. It commenced in the midst of the war of the revolution, under circumstances peculiarly trying to its infant strength, and has successfully resisted the shocks to which it has since, from a variety of causes, been exposed.

To estimate the blessings derived to this people from our Constitution would be difficult—we can scarcely point to any source of enjoyment that is not deduced from, or enriched by its benign influence.

I only notice further, among the civil provisions of the Constitution for the preservation of life, liberty, property and character, trials by jury, and the independence of the judges of the Supreme Judicial Court. These provisions were ordained by the people, and they operate for, and are essential to their safety. What otherwise could protect the

weak from the powerful, the poor from the opulent, the simple and uninformed from the crafty and intelligent? This branch of the social compact constitutes one of its most precious attributes. An independent judiciary not only directly guarantees an impartial interpretation and administration of the laws, but has a most auspicious though remote influence upon science and literature, upon character and the embellishments of taste, and more especially upon the science of jurisprudence. The desire of wealth, the love of fame, the hope of distinction, and every motive that can operate upon an ingenuous mind, and give elasticity and force to the human faculties, conspire to ensure to the people a succession of learned jurists.

It is foreign to my intention as it would be to the occasion, to attempt an analysis of the Constitution. But such provisions of that instrument as are vitally important to the public happiness cannot be too frequently brought to view and impressed upon the public mind.

A knowledge of the value of first principles ought to be cultivated.—Avarice and ambition wage eternal war with equal rights and public liberty. This was the doctrine of our fathers, founded in the nature of man; it is the doctrine of the Constitution, illustrated by the unequivocal testimony of experience.

Virtue is the great conservative of republics; and coincident with the other profound views developed in the Constitution, and as auxiliary to their attainment, that instrument assigns an elevated rank to moral and religious principles. The happiness of the people, the good order and preservation of civil government are declared essentially to depend on piety, religion and morality; and wisdom and knowledge, as well as virtue, are considered as necessary for the preservation of the rights and liberties of the people. To give the fullest effect to these principles, the Constitution makes it the duty of legislators and magistrates in all future periods of the Commonwealth, to cherish the interests of literature and the sciences, and all seminaries of them; to encourage private societies and public institutions; rewards and immunities for the promotion of agriculture, arts, sciences, commerce, trades and manufactures; to countenance and inculcate the principles of humanity and benevolence, public and private charity, industry and frugality, honesty and punctuality in their dealings, sincerity, good

humour, and all social affections and generous sentiments among the people.

To what extent the Legislature has from time to time fulfilled these benevolent injunctions, your journals and statute books can honorably attest. The establishment of numerous public institutions, to countenance the principles of piety, of charity and benevolence, for the encouragement of literature and the sciences, of agriculture and the mechanic arts, evinces a copious transfusion of the same enlightened spirit into our legislatures that originated and perfected the constitution. And the various aids in money, in lands, and in valuable immunities, which have been granted from time to time, to the University at Cambridge, the Colleges at Williamstown and Brunswick, and the numerous academies and other literary and scientific institutions, bear honorable testimony to the fidelity with which the Constitution has been administered.

In framing our Constitution, provision was wisely made for transferring a larger portion of sovereignty to the United States, than had been conferred by the confederation; and the ruinous effects flowing from the impotence of merely a federative compact, soon imperiously exacted a fulfillment of that provision. In the mean time, commerce and credit, both public and private, were nearly extinct; agriculture, trades and manufactures languished; and the whole country, that had recently and illustriously effected their independence after a long and distressing war, was overwhelmed with gloomy apprehensions of anarchy and ruin. At length a new frame of government was announced, and after long and rigorous discussion in the several States, was happily adopted.

The Constitution of the United States is without precedent and without parallel. In its composition and form it partakes of the federative character; but from the extent of its fiscal, executive and other powers, possesses the essential prerogatives of an integral government. The Confederation was a government of courtesy. The national interests demanded one of efficiency and coercion. Regulating commerce, maintaining customary intercourse with other nations, forming treaties, exercising the rights of war and peace, and providing for the national defence, were large concessions made to the government of the United States;

but they were then, and are still believed to be necessary to maintain the stability of government, to command the confidence of our own citizens and the respect of other nations, as well as to preserve the union of the States. The just mean between a too limited and an indefinite grant of power, was assiduously sought, and the result cheerfully submitted to the test of experiment.

In whatever degree the American systems of government may have been derived in their exterior forms from pre-existing models, their origin is essentially dissimilar. The British constitution, for example, was the product of feudal times; and the people of England were supposed to receive privileges from the hands of a king, as though power was primitively and inherently an attribute of royalty. Our Constitution originated from a different source, and is strictly a compromise among equals; a compromise among individuals, who, arrogating no exclusive pre-eminent rights, acknowledged no superiors. And those compacts being completed, their administration was intrusted to agents to exercise that degree of power only, which their constituents had seen fit to impart. The national compact, like the Constitutions of the individual States, is an emanation from the same pure and legitimate source; and the spirit of freedom that pervades and animates the State Constitutions, is carried into the national pact; and all powers not expressly given are declared to be retained by the people of the States. This distinct reservation of rights, besides being a condition, without the introduction of which the Constitution would never have been adopted, forms a check upon the powers vested in the general government. The sovereignty of the States, though reduced from its original amplitude, has been viewed by the most illustrious statesmen of our country, as forming a most safe and effectual counterpoise to that mass of power inherent in the United States' Constitution, and which is indispensably necessary for the general welfare.

From the experience we have had of the operations of the national government, we may infer its efficiency, and that its continuance may be protracted for ages. The machinery it is true is complicated, but the several parts we trust are so well proportioned and adapted to each other as to render the mighty movements of the whole equable, salutary and lasting. We presume the government will be ad-

ministered in the true spirit of it, and that a great and united nation may be rendered happy under its auspicious influence. Whatever apprehensions may have been at any former period entertained of the operations of the national government, the people of this Commonwealth have but one sentiment as to its continuance. Massachusetts will be among the last to impair the union of the States, as she would be the last silently to abandon her own just rights.

Regulating commerce and encouraging manufactures fall within the province of the national government. The rights and benefits of the former are probably as extensive as consists with the rights and interests of other nations. The distress which some of our manufacturing citizens have suffered from the astonishing changes that have recently taken place in Europe and in America are undoubtedly great, and excite our sympathy. Congress may, probably, in adjusting their new tariff of duties, have done as much for their relief as a due regard to justice and the good of the community at large would allow.

While the renewal of the scenes of war must be deprecated by every benevolent and patriotic heart, it must be highly satisfactory to you, gentlemen, to observe, that the interests of naval and military establishments are consulted and patronized, and that the formation of respectable military depots is taking place in various parts of the United States, and particularly in the vicinity of this ancient seat of government.

Having received sundry letters from the several Governors of the States of Rhode Island, Virginia, Ohio, Connecticut and Louisiana, the Secretary will lay them before you ; as likewise a copy of a law of the United States, passed the 20th day of April last, providing for the appointment of a Colonel, Lieutenant-Colonel and one Major in each regiment of militia instead of one Lieutenant-Colonel to each regiment, and one Major to each battalion. Considerations of some weight as it regards the officers who are to be affected by the operation of this law, may perhaps lead you to make some provision for carrying it into effect the present session.

Should any thing of sufficient importance to require your immediate attention occur, I shall communicate the same by special message ; and I shall be happy to co-operate with you, gentlemen, in all your efforts to promote the public good.

J. BROOKS.

Council Chamber, June 5, 1816.

ANSWER

OF THE

HOUSE OF REPRESENTATIVES.

May it please your Excellency,

THE House of Representatives respectfully reciprocate your Excellency's congratulations on the return of this interesting season, and that our country is enjoying a state of peace and tranquility.

It is a subject of no ordinary gratulation, upon the commencement of the new political year, to find that the suffrages of our fellow citizens have designated your Excellency as the successor of him, whom they have long delighted to honor. The confidence which they have so frequently reposed in your Excellency's predecessor, by repeatedly electing him to the highest office in the government, has at once evinced the intelligence requisite to the discernment of their own best interests, and the disposition gratefully to repay the labors which have so essentially subserved them. From the theatre of public life he has voluntarily retired to the bosom of domestic privacy, there to enjoy for the residue of his days, the rich rewards of the patriot and christian, the consolations of a life well spent in the promotion of the happiness of his fellow citizens.

In his successor, as well from the tenor of your Excellency's past life, as from the exposition of your Excellency's views of public policy, developed in your communication, we recognize a patriot of the same school. It was indeed to be expected that one, who had so ably contributed to the establishment of a free and enlightened form of government, should be intimately conversant with its elements, and ardently attached to its principles.

In the Constitution of this Commonwealth, framed as it was under circumstances of peculiar trial and perplexity, and without the advantage of precedents, is exhibited an unparalleled instance of what may be accomplished under

the blessings of Providence, by a people who are guided and directed by wise and good men. Its institutions maintain an inseparable union between the exercise and enjoyment of our natural rights, and the checks and restrictions indispensable to social order. It has its basis essentially in public sentiment.—Whenever that shall become radically corrupt, whatever forms may remain, its vitality will cease, and on its ruins will be built some other superstructure—the dictate of ambition or of anarchy. Its wise founders, reasoning from the analogy of ancient repulics, and with a wonderful *prescience*, which seems to have foreseen the result of *subsequent experiments*, made "wisdom and knowledge" with "piety, religion and morality," the foundation of their system. So long as these great pillars remain unshaken, we may, with certainty, rely upon the purity of public sentiment and the consequent continuance of our government.

Through the medium of our valuable institutions of literatures and science, our University, colleges and schools, the means of "wisdom and knowledge" are rendered accessable to all. Every citizen, however humble his station, is there furnished with the opportunity of improvement; and the honors and rewards which by the other provisions of our political system are rendered almost inevitably consequent upon the industrious and successful cultivation of the mind, furnish the strongest inducement to the due use of these means.

"Piety" is indeed an exercise of the heart, and is susceptible of no political regulation—but the external observances of "religion and morality," whose tendency is direct to the promotion of "piety," are attentively considered and provided for in our Constitution and laws. While, on the one hand, the rights of conscience and the freedom of religious opinion are sedulously guarded, on the other the citizen is bound to the external observance of religious and moral duties, and to the support and maintenance of christian institutions.

On these foundations rests our political fabric: and thus impressed, we are happy in assuring your Excellency, of our ready co-operation in all those measures which may be calculated to advance the cause of "wisdom and knowledge —of piety, religion and morality."

Subsequent to the adoption of our *State Charter*, which was directed and adopted more particularly to the definition

and security of the individual and social rights of our own citizens, our relative situation with our sister States rendered necessary a "national pact," for our mutual advantage and protection. That contract, emanating from a spirit of equity and mutual concession, while it yields to the *whole* many of the prerogatives of sovereignty, reserves to the *parts* all those rights and powers which are not expressly surrendered. The States are left to resort to their own governments and institutions for the ascertainment and protection of their common and ordinary rights, while the national compact provides against their *mutual* and *foreign* encroachments. Whenever it becomes inadequate to this object, its efficacy and obligation cease ; the Union resolves itself into its original elements ; and the States become, as at first, separate and independent sovereignties.

Massachusetts having been among the first to adopt the federative league, will be among the last to impair its obligations—having surrendered her full share of sovereign rights for the common good, she will also be among the last to submit to unauthorized encroachments. "Whatever apprehensions we may at times have entertained of the operations of the national government," we would still indulge a hope that the *disappointments of ambition*, and the *bitter lessons of experience*, may teach those who have erred to recur to first principles, and hereafter to give a practical construction to the compact consistent with its original intendment. Let them cultivate "a knowledge of the value of first principles," and learn that "avarice and ambition wage eternal war with equal rights and public liberty." We may then *safely* "presume the government will be administered in the true spirit of it, and that a great and united nation may be rendered happy under its auspicious influence."

The exigencies of the late war, waged without preparation, have induced a compulsory conviction upon the minds of those, who heretofore denounced "naval and military establisments," of the fallacy of their former opinions. *To be prepared for war, in times of peace*, was among the primary maxims of federal policy : we would hail this apparent return to first principles, as the harbinger of a progressive and more perfect reformation.

To your Excellency who have so long been the avowed friend and patron of the militia, that powerful and respectable portion of our fellow-citizens, look with confidence for all those aids and encouragements, which your Excellency's wisdom and experience enable you so effectually to bestow. To the accomplishment of these and all the other important objects, for which our power is delegated to us, we tender your Excellency our zealous co-operation.

ANSWER OF THE SENATE.

May it please your Excellency,

THE Senate of Massachusetts reciprocate the congratulations, which your Excellency has been pleased to express on the state of peace and domestic tranquility which our country enjoys, and all the circumstances which give interest to the return of this political season. Among the most auspicious of these circumstances your Excellency will permit the Senate of Massachusetts to consider the elevation of your Excellency to the chair of State. It is in the opinion of the Senate, not among the least of the many causes of gratitude to the great Author of all good, that he has, in the course of his Providence, for such a length of time preserved in usefulness and influence, so many of the statesmen and heroes who achieved our independence. This sentiment cannot fail to be deeply impressed on the minds of the people of Massachusetts, called, as they have been, now to witness, one of the patriots of our revolution, the friend of Washington and the associate of his councils, bidding adieu to public life, full of years, and of honors, and carrying with him into retirement the regret and affections of the multitude of his fellow-citizens, and succeeded by your Excellency, another of those patriots, also distinguished by the friendship of Washington, his associate in arms, and one, who shared largely in the dangers and glories of his military career. Events of this kind are not only honorable to those individuals, who are the subjects of them, but are also among the happiest omens of the future prosperity of our country; inasmuch as they indicate the steady virtues of the people of Massachusetts, and their continued attachment to the principles and character of our revolution; and are thus among the surest pledges for the continuance of our Republican Constitution, and among the best evidences of the capacity of the people for self government.

The Senate of Massachusetts are impressed not less than your Excellency, with the greatness and vital importance

of those principles, relative to the nature of civil government and its only legitimate source, the will of the people, which your Excellency has been pleased to enforce and illustrate. They also reciprocate your Excellency's sentiments concerning the objects and doctrines and principles of our political Constitution, and the blessings we enjoy under it.—And it will be the pride and pleasure, not less than the duty of the Senate of Massachusetts to co-operate with your Excellency and with the other branch of the Legislature, in transfusing into our proceedings the same enlightened spirit, in which that instrument originated and was perfected, and which in so great a degree, the conduct of preceding Legislatures has evinced.

Touching the Constitution of the United States, the Senate coincide in the opinion of your Excellency, that it is "without precedent and without parallel," and that from the extent of its fiscal, executive, and other powers and influences, that it is a government of "efficiency and coercion." The Senate of Massachusetts are aware, not less than your Excellency, of the greatness of those concessions of power, made by the people to the government of the United States. And in the nature and amplitude of those concessions, while on the one side, they can see no necessity for any enlargement of those powers, by construction, which, as your Excellency intimates, our system is framed as far as possible to prevent, so on the other, considering the nature of all power, and its inevitable tendency when unlimited, to terminate in despotism, the people and the States will find, in this condition of things, new motives to watch over those powers and portions of sovereignty, which are yet retained by them; and in the maintenance of which the spirit and the hopes of liberty, under our complicated frames of government, essentially depend.

As, in common with your Excellency, the Senate of Massachusetts, "from the experience they have had of the operations of the national government, infer its efficiency," so also, they have no doubt that, if administered in the true spirit of the Constitution, not only a great and united people may be made happy under its influence, but "that its continuance may be protracted for ages." We concur with your Excellency that "Massachusetts will be the last to impair the Union of the States." And we also trust, that she will be always among the first to vindicate and

maintain those just limits of the Constitution, by the preservation of which alone, that union can be perpetuated.

The regulation of commerce, to which your Excellency has alluded, as it has been recently exercised in establishing a new tariff of duties, being within the fair and unquestionable limits of the powers, granted by the Constitution, has been viewed by the Senate of Massachusetts, in that just and liberal light, in which it has been contemplated by your Excellency. They hope that in executing, on an extensive scale, and in a complicated state of affairs, that difficult and delicate task of reconciling relief of commerce with protection of manufactures, "as much has been done as a due respect to justice and the good of the community at large would allow." In canvassing the measures of the general government, while on the one hand the people of Massachusetts will yield nothing to any usurped authority, so on the other they will never fail to extend to the exercise of powers, within the undoubted limits of the Constitution, every liberal construction and manly support.

The Senate of Massachusetts, will ever rejoice at any evidence of a disposition in the national government to resort to the principles and systems, which characterised the happiest periods our country has enjoyed, since the adoption of our Constitution. Among these they will be ever disposed to consider attempts to provide for the national debt, and to place the credit of the United States upon a better basis than recently existed; the abandonment of a system of national security, resting on a mere love of justice, and the adoption of one which has for its foundation a competent and well instructed force; the consequent patronage of the naval and military establishments of our country;—the formation of respectable military depots;—and, in general, a liberal spirit in relation to the endowment of institutions of a really permanent and national character.

The Senate of Massachusetts also reciprocate the assurance of their readiness to concur with your Excellency in all your efforts to promote the public good.

RESOLVES.

JUNE, 1816.

CHAP. I.

Resolve for paying the Members of the Legislature.
1st June, 1816.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to each Member of the Council, Senate, and House of Representatives, two dollars per day, for each and every day's attendance the present political year ; and the like sum of two dollars for every ten miles travel from their respective places of abode, to the place of the sitting of the General Court, at each session of the same.

And be it further resolved, That there be paid to the President of the Senate, and the Speaker of the House of Representatives each, two dollars per day, for each and every day's attendance, over and above their pay as members.

CHAP. II.

Resolve authorizing the Clerk of the Court of Penobscot County to officiate in that office without giving bonds.
4th June, 1816.

Whereas the Clerk of the Courts for the County of Penobscot cannot give the bonds required of him by law, till

the Circuit Court of Common Pleas shall hold a term within and for said county; and whereas he cannot, as the law now is, legally act in said capacity as Clerk until he shall have given such bonds:

Therefore resolved, That the said Clerk be hereby authorized to proceed to do and perform all the duties and services required of him by law as such; and that from the time of his being duly sworn as Clerk, till the term of said Court, which shall next be holden within and for said county, all his doings in said office as Clerk, shall be as good and valid to all intents and purposes, as if he, before he entered upon the duties of his said office, had given bonds, as the law in such cases directs, any law to the contrary notwithstanding.

CHAP. III.

Resolve granting pay to Samuel P. P. Fay, Esq.
4th June, 1816.

Resolved, That there be allowed and paid out of the Treasury of the Commonwealth to Samuel P. P. Fay, Esq. of Cambridge, in the county of Middlesex, fifty dollars, for twenty-five day's attendance in the House of Representatives, as a Member thereof for said town of Cambridge, during the last session of the Legislature.

CHAP. IV.

Resolve authorizing Justices of the Circuit Court of Common Pleas, for the Western Circuit, to open and examine returns of votes for a Register of Deeds.
4th June, 1816.

Resolved, That the Justices of the Circuit Court of Common Pleas, for the Western Circuit, at the term of said Court, next to be holden at Worcester, within and for the county of Worcester, on the third Monday of June current, may open and examine the returns of the votes given in the several towns in said county, for the Register of Deeds in

the months of March or April last; and in case of a choice or otherwise, may further proceed in the same manner as they might do, were said term the next regular term for the transaction of session business.

CHAP. V.

Resolve providing for the pay of Joseph Andrews.
6th June, 1816.

Resolved, That the sum of sixteen dollars be allowed and paid out of the public Treasury, to Joseph Andrews, a Member from Salem, at the last session of the General Court, for sixteen days attendance and travel, the same having been omitted in making up the pay roll.

CHAP. VI.

Resolve for choosing another Notary Public in the county of Plymouth, to reside at Middleborough.
6th June, 1816.

Resolved, That there be chosen one Notary Public, in addition to the number now allowed to be chosen, within and for the county of Plymouth, who shall be a resident in the town of Middleborough, in said county.

CHAP. VII.

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

The Secretary will lay before you a Communication, dated the 6th instant, from Captain George Talcott, of the United States ordnance, stating that he had selected a site for an ordnance depot for the United States, upon the left bank of Charles river, one mile below the bridge at Watertown, and requesting that the necessary steps may be taken for vesting in the general government the jurisdiction, as is

usual in such cases. The extent of the cession will be particularly defined by the applicant, who is charged with the construction of the necessary magazines, arsenals and workshops for the use of the United States.

J. BROOKS.

Council Chamber, June 7, 1816.

CHAP. VIII.

Resolve on the petition of Benjamin Russell.
7th June, 1816.

On the petition of Benjamin Russell, of Boston, in the county of Suffolk, praying to be appointed and employed as Printer to the General Court, the ensuing year:

Resolved, That the said Benjamin Russell, for reasons set forth in his said petition, be, and he hereby is appointed the Printer of this Commonwealth for one year, from the fourth day of June instant, to be fully completed and ended, and until another State Printer shall be appointed in his stead: *Provided*, he, the said Russell, shall do and perform, or cause to be done and performed, the printing in a faithful and workman-like manner, on good and suitable paper, and with all reasonable despatch, and to the acceptance of the officers, for whom the work may be done.

Be it further resolved, That the compensation which shall and may be allowed and made to the said Benjamin Russell for printing, and materials furnished as aforesaid, shall be such as the Committee on Accounts may deem to be just and reasonable; they, the said Committee on Accounts taking into consideration and comparison, the pay and allowance heretofore made for similar and like services rendered, and articles furnished by Printers to the General Court for several years last past.

CHAP. IX.

Resolve to quitclaim to Chloe Goldthwaite the estate of Ellery Wood. 8th June, 1816.

Whereas it has been made to appear to this Legislature, that Ellery Wood, late of Uxbridge, in the county of Wor-

cester, deceased, intestate, at the time of his death, was seized and possessed of a small real and personal estate, but left no legal heirs, whereby the said estate has escheated to the Commonwealth, and Chloe Goldthwaite, of Northbridge, in said county, the mother of said Ellery Wood, has petitioned this Legislature to release to her the right of the said Commonwealth in said estate:

Therefore resolved, That the Honorable Daniel Davis, Solicitor-General of the Commonwealth, be, and he hereby is authorized and empowered, in the name of the Commonwealth, to release and quitclaim to Chloe Goldthwaite, of Northbridge, in the county of Worcester, all the right, title and interest of the Commonwealth in and to the estate, real and personal, which was of Ellery Wood, late of Uxbridge, in said county, at the time of his decease, to have and to hold the same, to her, the said Chloe, her heirs and assigns, forever: *Provided*, That nothing herein contained shall in any manner prejudice or impair the legal rights of creditors, or others in said estate; the debts due from said estate, to be first paid out of the personal estate, and if need be, out of the real estate, agreeably to the law in such case provided.

CHAP. X.

Resolve on the petition of James Fisk and others.
8th June, 1816.

On the petition of James B. Fisk, Simon Harriman, Robert Parker, and Samuel E. Dutton, praying that the Administrator on the estate of Charles Hammond, late of Bangor, in the county of Penobscot, deceased, may be empowered to execute deeds of conveyance, of a certain piece of land in Bangor, bounded as follows—viz.: Southwestwardly by the original line between lots number ten and seventy, according to Park Holland's survey of the settlers lots, in said Bangor, which the said Hammond in his life time, by instruments, not under seal, contracted to convey, but was prevented by death:

Therefore resolved, For reasons set forth in said petition, That Moses Patten, Administrator of the estate of Charles Hammond, Esquire, be, and he hereby is empowered to

execute good and sufficient deeds of conveyance of said land as follows, viz. to James B. Fisk, two undivided sixtieth parts; to Simon Harriman, one undivided sixtieth part; to Robert Parker, two undivided sixtieth parts; and to Samuel E. Dutton, three undivided sixtieth parts, agreeable to a contract entered into by the said Hammond in his life time; and the said deeds so made and executed shall be good and valid in law to convey all the right and interest which the heirs at law of the said Hammond may have in the said land as fully as if the said deed had been executed by the said Hammond in his life time.

CHAP. XI.

Resolve for appointing Notaries Public for Penobscot County. 8th June, 1816.

Resolved, That three Notaries Public be appointed for the county of Penobscot, one to reside in the town of Bangor, one in the town of Hampden, and one in the town of Orrington, in said county.

CHAP. XII.

Resolve on petition of Stephen Perry and his brother, directing the Solicitor General to endorse and allow on the notes of Benjamin Baldwin, $595, on condition. 11th June, 1816.

On the petition of Stephen Perry, in behalf of himself and his brother, Benjamin Perry, praying the Commonwealth to release to the said Stephen and Benjamin, their heirs and assigns, the right and title of the Commonwealth in and to thirty-five acres of land, lying in Egremont, in the county of Berkshire, south-east of the dwelling-house of James Baldwin, Esquire, of said Egremont, called the Young love lot, which the said Stephen and Benjamin had purchased of the said James, and for which they had paid him, but had not taken a deed from the said James, which land was sold to Benjamin Baldwin by the Commonwealth, by virtue of a warrant of distress in favor of the Commonwealth against the said James, in the month of September, in the year of our Lord, one thousand eight hundred and

thirteen, at the average price of seventeen dollars per acre, amounting in the whole to the sum of five hundred ninety-five dollars; or that the Commonwealth would in some other way grant relief in the premises.

Resolved, That the Solicitor General, in behalf of the Commonwealth be, and he hereby is directed to endorse and allow on the promissory note or notes of the said James Baldwin to the Commonwealth made, and taken for the sale of that and other real estate, the sum of five hundred and ninety-five dollars, being the average value of said lands sold, as of the date of said note or notes: *Provided* that the said Benjamin Baldwin shall make and execute his deed with warranty to said Stephen Perry and Benjamin Perry, their heirs and assigns, conveying to them a good and sufficient title to the said thirty-five acres of land; and shall also make and execute to the Commonwealth a deed of release of all claims which he has or may have against the Commonwealth, by virtue or in consequence of the sale and conveyance to him made by the Commonwealth as aforesaid; and *provided also*, that Jonathan Baldwin, brother of the said James Baldwin, shall previously convey to the Commonwealth all his right and title in and to the thirty-five acres of land aforesaid, such deed and deeds to the Commonwealth, to be made to the acceptance of the Solicitor General.

CHAP. XIII.

Resolve on the petition of the Selectmen of Charlton.
11th June, 1816.

On the petition of the Selectmen of the town of Charlton, setting forth that the town of Southbridge was taken off from the towns of Sturbridge, Charlton and Dudley, by an act passed 15th February, 1816, and that no part of the State tax is apportioned to the said town of Southbridge, but warrants have been issued to the said towns by the State Treasurer, as would have been, had not the said town of Southbridge been incorporated:

Resolved, For the reasons set forth in said petition, that the Assessors of the towns of Sturbridge, Charlton and Dudley, be authorized, and they are hereby authorized and required to assess on the polls and estates of the inhabitants of the town of Southbridge, such proportion of the State and county taxes for the present year as would have been asses-

sed on said inhabitants, had not the said town of Southbridge been incorporated; and the Collectors of the said towns of Sturbridge, Charlton and Dudley, are hereby authorized and required to collect all such taxes assessed as aforesaid, and pay over the same according to directions in the warrants issued by the State and County Treasurers.

CHAP. XIV.

Report and Resolve on the doings of the late Agent for the sale of Eastern lands. 11th June, 1816.

The Committee of both Houses that were appointed to examine the accounts of the late William Smith, Esquire, Agent for Eastern lands, have examined his account of proceedings from the ninth day of June, eighteen hundred and fourteen, to the thirty-first day of May, eighteen hundred and sixteen, wherein he has received in securities and money the sum of thirty-nine thousand nine hundred and fifty-seven dollars, and twenty-eight cents, and has paid the Treasurer in securities and money, together with payments made for Clerk-hire, for surveying lands, and other charges including the amount due the Agent for services, the sum of forty thousand, four hundred and twenty-five dollars and ninety-five cents; and there appears to be a balance due to said Agent of four hundred and sixty-eight dollars, and sixty-seven cents, all of which appears to be right cast and well vouched.

EPHRAIM WILLIAMS, Chairman.

Therefore resolved, That the late William Smith, Agent, for Eastern land, his Heirs, Executors and Administrators, be, and hereby are discharged from the sum of thirty-nine thousand nine hundred and fifty-seven dollars, and twenty-eight cents; and the Governor is requested to draw his warrant in favor of the Executor or Administrator of William Smith, Esquire, for the sum of two hundred and fifty dollars in full for his services as Agent for Eastern lands to the time of his death. And in favor of George W. Coffin, for the sum of two hundred and eighteen dollars, and sixty-seven cents in full for the balance due him for services in the Land Office to this time, and in full discharge of the balance of said account.

CHAP. XV.

Resolve on the application of the Warden of the State Prison. 11th June, 1816.

Resolved, That there be allowed and paid out of the Public Treasury, for the use of the State Prison the sum of ten thousand dollars, to be drawn from the Treasury by the Warden of said Prison, in such sums as the Directors shall from time to time direct; and his Excellency the Governor, with the advice of Council, is hereby requested to draw his warrants on the Treasurer for said sums accordingly.

CHAP. XVI.

Resolve on the petition of John Howes, a wounded Soldier. 11th June, 1816.

On the petition of John Howes, of Hawley:

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, unto John Howes of Hawley, the sum of twenty dollars, in consequence of a wound he received in the right hand while doing military duty at a review in the month of October last.

CHAP. XVII.

Resolve on the petition of John R. Gould, Guardian to Eliza Larkin, a minor. 12th June, 1816.

On the petition of John R. Gould, Guardian to Eliza Larkin, a minor:

Resolved, For reasons set forth in said petition, that the said John R. Gould be, and hereby is authorized to sell at private sale, all the right, title and interest of the said Eliza Larkin, in and to a certain estate lying in Cornhill, in said Boston, bounded easterly thereon, sixteen feet six inches; southerly on land of the heirs of Ebenezer Larkin, deceased,

eighty feet; westerly on land of the heirs of Tuthill Hubbart, deceased, ten feet; northerly on the land of the heirs of said Hubbart, eighty feet; the said Eliza being seized of one sixth part thereof, subject to the life estate of Benjamin Hurd: *Provided*, the said Guardian can obtain for the same a price proportional to the price paid by the New Cornhill Corporation to the other heirs of the said estate, for the parts thereof already sold by them to said Corporation: *Provided also*, that said Gould first give bond to the Judge of Probate for the county of Suffolk, with sufficient sureties to account for the proceeds of the sales of said estate, according to law.

CHAP. XVIII.

Resolve for a Well to be dug within the walls of the State-House Yard. 13th June, 1816.

Resolved, That James Robinson, Esquire, be authorized and empowered, to cause to be dug a Well within the State House Yard, and complete and fix the same, with a good pump or pumps, and lay the account of the same before the Committee on Accounts, for allowance.

CHAP. XIX.

Resolve for appointing Electors. 13th June, 1816.

Resolved, That the General Court, on the second Thursday of November next, (being then in session,) will, by joint ballot, elect and appoint twenty-two persons, to be Electors of President and Vice-President of the United States, not being Senators or Representatives in the Congress thereof, or persons holding any office of trust or profit under said United States; one of whom, at least, shall be an inhabitant of each District which is assigned for the choice of Representatives in the Congress of the United States. And whereas it may so happen, that one or more of the Electors, so elected and appointed, may be prevented, by death, sickness, resignation, or otherwise, from attending on the first Wednesday of December next, to give their votes:

It is further resolved, That the said Electors, so to be appointed, be, and hereby are directed to meet at the State-House, in Boston, on the first Tuesday in December next, at ten o'clock, in the forenoon, for the purpose of supplying such vacancies. And the said Electors, who may then and there be present, are hereby empowered to fill up all vacancies which may happen as aforesaid, by electing, by ballot, from the people at large, so many suitable persons, eligible by the Constitution, for Electors of President and Vice-President of the United States, as may be necessary to supply such vacancies; and to declare the person or persons, so appointed by said Electors present, and empowered as aforesaid, or the major part of them, to be Elector or Electors of the President and Vice-President of the United States, duly appointed for the purpose, and certify the same to the Executive authority of this Commonwealth, that the persons so appointed, may be entitled to the certificate of their appointment.

And it is further resolved, That the said Electors shall meet at the State-House, in Boston, on the first Wednesday of December next, being the fourth day of said month, and vote, by ballot, for President and Vice-President of the United States, and make distinct lists of all persons voted for as President and Vice-President, and of the number of votes for each; which lists they shall sign and certify, and transmit, sealed, to the seat of government of the United States, agreeably to the provisions of the Constitution and laws thereof. And the Secretary of this Commonwealth is hereby directed to transmit, without delay, to each Elector, who may be appointed, in manner aforesaid, a certificate of his appointment. And the Executive authority of this Commonwealth is hereby requested to cause the lists of said Electors to be made, certified, and delivered to them, conformably to the provisions of the law of the United States.

CHAP. XX.

Resolve on the petition of the sureties of Thompson J. Skinner, late Treasurer of this Commonwealth.
13th June, 1816.

On the representation of Albert Smith and John Chamberlain, two of the sureties of the late Treasurer, Thompson J.

Skinner, in behalf of themselves and others of said sureties, praying a discharge from their suretiship :

Resolved, That Albert Smith, John Chamberlain, Ezekiel Bacon, James Baldwin, John Picket, Joseph Wilson, Simeon Griswold and Timothy Childs, sureties of the late Treasurer Thompson J. Skinner, be, and they are hereby released and discharged from all debts, obligations, judgments, executions, warrants of distress, and demands due or payable from them, or either of them, to said Commonwealth, for, or on account of said Skinner : *Provided nevertheless*, that nothing contained in this Resolve, shall prevent the Commonwealth from satisfying their judgment against either of said sureties out of any property heretofore conveyed, or secreted by them, or either of them, for the purpose of defrauding the Commonwealth of said judgment.

CHAP. XXI.

Resolve on the petition of the Selectmen of the town of Exeter. 13th June, 1816.

On the petition of the Selectmen of the town of Exeter, stating that a portion of the Laws and Resolves of the General Court, which were committed to the care of the late Charles Hammond, Esquire, for said town, was destroyed, or carried away by the troops of Great Britain in their late invasion of the county of Hancock, and praying that the same may be replaced by the Commonwealth.

Resolved, That the prayer of said petition be granted, and that the Secretary of the Commonwealth be directed to furnish to the use of the said town of Exeter, such portion of the Laws, Resolves and Reports of the Commonwealth, and other books as were committed to said Hammond for their use, and destroyed, or carried away as aforesaid.

CHAP. XXII.

Resolve on the petition of Amos Barnes, of Southampton. 13th June, 1816.

On the petition of Amos Barnes, of Southampton,

Resolved, For reasons set forth in said petition, that the

sum of fifty dollars, which was paid by said Barnes to William Dady, the commanding officer of a company of detached militia, called out by order of the Commander in Chief, for the defence of the Commonwealth, in the month of September, A. D. 1814, be refunded to the said Barnes by William Dady, or by the officer or person who now has the said fifty dollars in possession; and the said officer or person in possession of the said money, is hereby directed to pay over the same accordingly.

CHAP. XXIII.

Resolve on the petition of Daniel Hart, of Townsend. 13th June, 1816.

On the petition of Daniel Hart, praying further indemnification for loss of time and expense incurred in consequence of a wound he received in his right leg at a regimental review, in October, 1812:

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth unto Daniel Hart, of Townsend, the sum of seventy dollars in addition to the two hundred dollars heretofore at two several times granted said Hart, and which is to be considered in full of any compensation, which the Commonwealth are to make for all the considerations mentioned in said petition.

CHAP. XXIV.

Resolve granting two brass field pieces to Bangor Artillery Company. 14th June, 1816.

On the petition of the Officers of the Company of Artillery in Bangor, in the first Brigade of the tenth Division of Militia; shewing that the guns, tumbrils and equipage of said company, were captured and carried away by the enemy in the late war:

Resolved, That the Quarter-Master-General be, and he is hereby authorized to furnish said company with two

brass field pieces, tumbrils, and suitable equipage, whenever the state of the public arsenals will admit of such supply.

CHAP. XXV.

Resolve for a Tax for the county of Plymouth. 14th June, 1816.

Whereas the Treasurer of the county of Plymouth, has laid his account before the Legislature, which account has been examined and allowed, and the Clerk of the Court of Sessions for the said county has exhibited an estimate made by said Court of the necessary charges which may arise within the said county, and the sum necessary to discharge the debts thereof:

Resolved, That the sum of three thousand six hundred and thirty dollars, be, and is hereby granted as a tax for the county of Plymouth, to be apportioned, assessed, paid, collected and applied for the purposes aforesaid, according to law.

CHAP. XXVI.

Resolve appointing a Committee to view the harbor of Hingham. 14th June, 1816.

On the petition of the town of Hingham, praying for the assistance of the Legislature to prevent the destruction or damage of their harbor by the channels being filled with sand:

Resolved, That Messrs. Curtis, of Boston and Tower, of Cohasset, be, and they are hereby appointed a Committee to view the harbor of Hingham, at the expense of said town, and to report at the next session of this Court, whether any, and if any, what aid it is proper to afford them in the premises.

CHAP. XXVII.

Resolve granting $23 to Israel Hodgdon.
14th June, 1816.

On the petition of Israel Hodgdon, of Buckfield, praying compensation for loss of time and expenses incurred in consequence of being called out in the detached militia in the month of September, A. D. 1814.

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, the sum of twenty-three dollars to Israel Hodgdon, of Buckfield, in full for all the considerations mentioned in his said petition.

CHAP. XXVIII.

Resolve on the petition of Joseph Allen, Agent for sale of lands mortgaged by Prentiss and Chever.
14th June, 1816.

On the petition of Joseph Allen, Agent to sell or lease certain lands lying in Princeton and Hubbardston, mortgaged to the Commonwealth by Henry Prentiss and Bartholomew Chever ;

Resolved, That the said Agent be, and he is hereby directed to pay into the Treasury of the Commonwealth, the sum of two hundred and ninety-five dollars, being the amount of rents by him received, for one year, ending in April last, after deducting fifteen dollars, which is hereby allowed him for his services therein ; and that upon payment as aforesaid, he be discharged of that sum.

CHAP. XXIX.

Resolve for erecting an Engine House in the yard of the State House. 15th June, 1816.

Resolved, That James Robinson, Esquire, be, and hereby is empowered to cause to be erected, at the expense of the

Commonwealth, an Engine House, in the State House yard, either by enlarging the Watch House there, or otherwise : *Provided*, the expense shall not exceed the sum of one hundred and fifty dollars : *And provided also*, That the inhabitants of the town of Boston, at their own proper expense, shall furnish a good Fire Engine, which shall be kept in said Engine House at all times, excepting when it shall be necessary to take the same out for the purposes of extinguishing fires, and for exercising the company of men which may be attached to the same—the Selectmen of said town to appoint, and at all times to have the usual company of men to the said Engine. And his Excellency the Governor is requested to draw his warrant on the Treasurer of the Commonwealth, in favor of the said James Robinson, for the expense which may be incurred in the premises, when the said Engine House shall be erected, the said Engine furnished and placed in the same House, and the company of men appointed to the same, by the Selectmen aforesaid.

CHAP. XXX.

Resolve, relating to certain claims against the Commonwealth.
15th June, 1816.

Whereas by a resolve passed on the first day of February last, General Alfred Richardson, and General Amasa Davis were authorized to receive certain sums of money from the Treasury, for the purpose of paying the same over to certain individuals whose names were borne on two abstracts of sums due to Benjamin Clough, and ninety-two others, and to Samuel Acley and one hundred and sixty-eight others, and to certain other persons whose names were borne on five pay rolls, in said resolve particularly mentioned : And whereas provision was made by said resolve, that unless all the persons mentioned in said abstracts and pay rolls applied for, and received the sums to them respectively due, before the first day of June current, that the said Richardson and Davis, should pay the balance remaining in their hands, on that day into the Treasury : And whereas a number of persons mentioned in said abstracts and pay rolls, did not apply in season for the payment of their respective demands,

and there is now no provision made by law for the payment of the same:

Therefore resolved, That the Treasurer be, and he hereby is authorized and empowered, when the said Richardson and Davis shall have filed with him, vouchers for the several sums they may have respectively paid as aforesaid, to give them each a certificate, specifying the amount by them respectively so paid to the individuals aforesaid, and the balance which remained in their hands, on the first day of June aforesaid, and which has been by them respectively paid into the Treasury.

And be it further resolved, That the Treasurer be, and he is hereby authorized and directed to pay to any individual, or his order, whose name is borne on the abstracts and pay rolls aforesaid, such sums of money as may appear thereon to be due to him, and to take duplicate receipts therefor, one of which shall be filed with the vouchers to support the account of this Commonwealth against the United States.—And his Excellency the Governor, with advice of Council, is hereby requested to draw his warrant on the Treasury for the sum of three hundred and four dollars, and thirty-three cents, for the purpose of making the payments aforesaid.

And be it further resolved, That his Excellency the Governor, with the advice of Council, be, and he hereby is authorized and requested to appoint one or more persons as he may think proper, and at such time and manner as he may deem expedient, after the Agent appointed by the said resolve of the first of February last, shall have completed the same, to present the accounts and claims of this Commonwealth for military services rendered, supplies and munitions of war furnished, labour performed, and expenses incurred during the late war with Great Britain, and arising in consequence thereof, to the government of the United States for allowance, and to settle and adjust the same.

CHAP. XXXI.

Resolve to confirm the doings of the town of Buckfield.
15th June, 1816.

On the petition of the town of Buckfield for a confirmation of their Records:

Resolved, That the proceedings of the town meetings held-

en in the town of Buckfield, be, and they are hereby confirmed and made valid, the want of formality or regularity in issuing, posting, warning or returning warrants for said town meetings or the Records thereof notwithstanding : *Provided however*, That nothing herein contained shall be construed to effect the title to any lands assessed, or sold as the estate of any now resident proprietor of lands lying within the said town of Buckfield.

CHAP. XXXII.

Resolve on the petition of Barrett Potter and others, allowing a longer time for settling a township of land granted Deerfield Academy. 15th June, 1816.

On the petition of Barrett Potter and Nathaniel Ingersoll, proprietors of the half township of land conveyed to the Trustees of Deerfield Academy, by a deed from the Agents for the sale of Eastern lands, dated September 20th, A. D. 1806 ;

Resolved, For reasons set forth in said petition, that a further time of three years from the twentieth day of September last, be, and is hereby allowed to the said Barrett Potter and Nathaniel Ingersoll, their heirs and assigns, to complete the settlement of ten families on the half township of land granted to the Trustees of Deerfield Academy, lying in the county of Washington : *Provided* the said Barret Potter and Nathaniel Ingersoll, their heirs or assigns, shall, on or before the first day of September next, give bond to the Treasurer of this Commonwealth, in the sum of six hundred dollars, with sufficient surety or sureties, to the satisfaction of the Agents for the sale of Eastern lands ; conditioned that there should be settled on said grant, the number of ten families within the time extended as aforesaid, or for the payment of thirty dollars for each family which shall then be deficient of that number ; upon satisfaction of which bond, given as aforesaid, either by causing the said number of families to be settled on said grant within the time aforesaid, or by paying the said sum of thirty dollars for each family which shall then be deficient, then the estate, right and title of the said Barrett Potter and Nathaniel Ingersoll, their heirs and assigns, shall be valid, full and effectual, to

all intents and purposes, as if the conditions of settlement expressed in the original deed given of said half township by the Agents for the sale of Eastern lands, had been fully and seasonably complied with.

And be it further resolved, That the Treasurer of the Commonwealth be, and is hereby directed, upon receiving the bond aforesaid, to give up or cancel the bond of the said Potter and Ingersoll, dated the fifteenth day of August, A. D. 1812, which was given pursuant to a resolve of the General Court, passed the eleventh day of June, in the same year.

CHAP. XXXIII.

Resolve on the petition of Nathaniel Merrill, discharging him from prison. 15th June, 1816.

Resolved, For reasons set forth in said petition, that the said Nathaniel Merrill be, and he hereby is discharged and fully released from a judgment recovered by the Commonwealth against him, on the fourth Tuesday of May, in the year of our Lord eighteen hundred and fifteen; on which said judgment, execution issued, and upon which said Merrill is now imprisoned in the common gaol, in the town of Portland; and that the Sheriff for the county of Cumberland be, and he hereby is authorized and empowered to discharge said Merrill from his said imprisonment: *Provided however,* that the Commonwealth shall not be subjected to any cost or expense which may have accrued for the support of said Merrill during his said imprisonment.

CHAP. XXXIV.

Resolve on the petition of Thomas B. Wait and Sons. 17th June, 1816

Resolved, That the Secretary of the Commonwealth be, and he hereby is authorized to subscribe for six copies of the new and improved edition of State Papers and Public Documents, proposed to be printed by T. B. Wait & Sons, to be comprised in ten volumes; the said copies to be de-

livered in strong leather binding, at the rate of two dollars and fifty cents for each volume, the same to be allowed and paid out of the Treasury of this Commonwealth; on the certificate of the Secretary, stating and acknowledging the receipt of six copies of the first volume of said edition, at the rate aforesaid; and in like manner on a similar certificate from the Secretary, a like sum to be paid in manner aforesaid, for the same number of each succeeding volume, when delivered as aforesaid; and that the Secretary deposit two of said copies in the respective chambers of the Council, the Senate, and the House of Representatives.

CHAP. XXXV.

Resolve relating to Justices of the Supreme Judicial Court. 17th June, 1816.

Whereas it is inconvenient for three or more of the Justices of the Supreme Judicial Court to attend at the term of said court next to be holden at Barnstable, for the counties of Barnstable and Duke's county; as little or no business will come before them, requiring more than one of the Justices of said Court:

Therefore resolved, That the next term of said Court may be holden by any one of the Justices of the same; and should any business come before said Court, so to be holden as aforesaid, which by law requires more than one of the Justices of said Court to hear, try and determine; all such business may be heard, tried and determined by the Court at their next law term, to be holden within and for the counties of Plymouth and Bristol, unless the parties thereto shall agree to have the same continued to the next term of said Court, to be holden at Barnstable, for the counties of Barnstable and Duke's county.

CHAP. XXXVI.

Resolve empowering Benjamin Rogers, to sell and convey lands as Guardian. 17th June, 1816.

Upon the petition of Benjamin Rogers, of Great Barring-

ton, in the county of Berkshire, physician, parent and guardian of Mary-Ann Rogers, and Benjamin F. Rogers, minors, under the age of twenty-one years, praying that he may be authorized and empowered to make sale of certain real estate belonging to said minors, situated on the westerly side of the main-street in said town, containing about twelve acres, bounded east on said street, south and west on land belonging to the heirs of Thomas Ives, Esquire, deceased; north partly on land of David Leavensworth, Esquire, and partly on land of Samuel Riley:

Resolved, For reasons set forth in said petition, that the said Benjamin Rogers be, and he hereby is authorized and empowered to make sale of the said estate of said minors, and to make and execute good and sufficient deed or deeds thereof to the purchaser or purchasers, which shall be as effectual in law as if the same was sold at public auction for money; and that he be, and hereby is authorized to purchase with the proceeds of the sale or sales aforesaid, other real estate in said town of Great Barrington, of the same or nearly equal value; and the estate so purchased, shall go and belong as directed in the last will and testament of Joel Evarts, late of said Great Barrington, physician, deceased, of certain lands bequeathed in said will to the said minors, and be subject to the same rules of partition, settlement or sale, as would apply to the estate left by said deceased to the said minors: *Provided nevertheless*, that the sale and purchase of estate as aforesaid be made agreeably to an appraisement by three impartial men to be appointed by the Judge of Probate for the said county of Berkshire, and to be made under oath, and that the appraisement comprehend the estate proposed to be sold, and also that which may be purchased; and that said appraisements when they shall be made, be approved and allowed by said Judge; and *provided also*, that the said Judge do certify thereon his approbation of the sale or sales, purchase or purchases of the said appraisement or appraisements, and approbation to be entered on the records of the Probate office, and to be made previous to the execution of the deed or deeds; and *provided also*, that the said Benjamin first give bonds with sufficient surety or sureties to be approved by said Judge of Probate, conditioned to make the sale or sales as aforesaid, and vest the proceeds thereof in other real estate as aforesaid; and also condition-

ed that in case the proceeds of any sale or sales to be made by said Benjamin as aforesaid, should not be immediately laid out in other real estate as aforesaid, that in such case the proceeds of any such sale or sales shall be paid, with the lawful interest thereon, to such person or persons to whom the estate of said deceased, bequeathed by his last will and testament would have descended by law, and in the proportion, and at the time or times mentioned in said last will and testament.

CHAP. XXXVII.

Resolve on the memorial of the Boston Board of Health.
17th June, 1816.

On the memorial of the Board of Health of the town of Boston, praying for further aid to complete the sea-wall for the security of Rainsford or Hospital Island, in the harbor of Boston :

Resolved, That there be paid out of the Treasury of this Commonwealth, the sum of eleven hundred and sixty-three dollars to the Board of Health of the town of Boston, for the purpose of completing a sea-wall upon said Rainsford or Hospital Island, for the purpose of preserving the Commonwealth's interest in the same, and prevent the ravages of the sea from deteriorating the same.

CHAP. XXXVIII.

Resolve appointing an Agent of Eastern lands.
18th June, 1816.

Resolved, That the Honorable Edward H. Robbins, Esquire, be, and he hereby is authorized to do and perform all the acts and duties appertaining to the office of Agent for the sale of Eastern lands, by the Laws and Resolves of this Commonwealth, which were in force at the time of passing "An act for promoting the sale and settlement of the public lands in the District of Maine," until a board of Com-

missioners appointed under said act, shall be organized and qualified to enter upon the duties of their office.

CHAP. XXXIX.

Resolve on the petition of Joseph Howard, suspending the service of an execution against him. 18th June, 1816.

On the petition of Joseph Howard, praying that he may be relieved from a judgment recovered against him for a trespass on the Commonwealth's land in the town of Brownfield, in the county of Oxford, or permitted to purchase said lot of the Commonwealth:

Resolved, That Hon. Lathrop Lewis, Esquire, be, and he hereby is authorized and required to make a survey and plan of said land, and to ascertain the present value thereof and what was the value of said lot on the first day of May, in the year of our Lord one thousand eight hundred and thirteen; and to return the survey and plans so taken, together with an estimate of the value as aforesaid, into the land office in Boston, on or before the second Wednesday of the next session of this General Court.

And it is further resolved, That the Attorney General be authorized and directed to suspend the service of the execution issued on said judgment, recovered against said Howard in favor of the Commonwealth, until the end of said next session.

CHAP. XL.

Resolve on the petition of Samuel Griggs, discharging him from the Commonwealth's demand. 18th June, 1816.

On the petition of Samuel Griggs, of Boston, in the county of Suffolk, shewing, that at the last January term of the Boston Court of Common Pleas in said county of Suffolk, a judgment was recovered against him in favor of the Commonwealth, for one hundred dollars, and cost thereon, being the amount for which he had recognized for the appearance of one Rebecca Griggs, his daughter, at the Mu-

nicipal Court, who avoided ; that execution has issued on said judgment for said sum, on which the petitioner has been arrested and committed to the gaol in Boston ; and that the said Griggs is very poor, is a widower, and has a numerous young family, who, by his present embarrasment, are left wholly destitute of support.

Resolved, For reasons set forth, that the said Samuel Griggs be discharged from his recognizance aforesaid, from the judgment rendered thereon, and from his confinement, upon payment of the costs thereto appertaining : *Provided* said Samuel Griggs be not detained there for any other cause.

CHAP. XLI.

Resolve on the report of the Quarter-Master-General.
18th June, 1816.

The Committee of both Houses, to whom was referred the statement of the Quarter-Master-General, respecting the towns, plantations and individuals of every description, who had received from the Commonwealth, its magazines and arsenals, (during the late war) any munitions of war, or muskets and accoutrements, and had not returned nor accounted for the same, have attended that service and beg leave to report, that the following towns, plantations and individuals, viz.—Kingston, Wells, Scituate, Woolwich, Buxton, Machias, Saco, Boothbay, Bristol, Biddeford, Brewster, Barnstable, Wiscasset, Danvers, Nobleborough, St. George, Castine, Dorchester, Fairhaven, Falmouth, Friendship, Lincolnville, York, Manchester, Newburyport, Pembroke, Rochester, Sandwich, Cambden, Wareham, Yarmouth, Robbinston, Hingham, Surry, Weymouth, Quincy, Dennis, Captain Gerry Fairbanks, Ipswich, Harwich, Captain Thomas Warren, have returned part of the articles received by them reespectively of the Commonwealth, into the department of the Quarter-Master-General, and have, by affidavit and otherwise, furnished satisfactory evidence that the residue of the articles by them respectively received have been properly expended in the defence of the Commonwealth, or have been unavoidably captured, destroyed or

lost, so that the said towns, plantations and individuals above named, ought not to be held accountable for the same. Your Committee, therefore, respectfully recommend the adoption of the following resolve.

WILLIAM MOODY, *per order.*

Resolved, That all the towns, plantations and individuals above named, be, and they are hereby discharged from all liability to the Commonwealth on account of any munitions of war, muskets or accoutrements, which they received from the Commonwealth, its magazines and arsenals, during the late war.

Be it further resolved, That the Quarter-Master-General of this Commonwealth be directed forthwith, to call upon all the other towns, plantations and individuals, who have received from the Commonwealth any munitions of war, muskets or accoutrements, and who have not returned or accounted for the same, requiring the return of said articles, on or before the first day of October next; and the said Quarter-Master-General is hereby authorized and empowered to settle with any delinquent town, plantation or individual, and to receive, in behalf of the Commonwealth, any sum or sums of money which he may think reasonable, in lieu of any article or articles, which shall not be returned to him agreeable to the terms of this resolve, and thereupon fully to discharge the town, plantation or individual paying the same, the said Quarter-Master-General to make report of his proceedings under this resolve, at the next session of the present General Court.

CHAP. XLII.

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

The Honorable Ebenezer Mattoon, Esquire, having been appointed Adjutant-General of the Militia of this Commonwealth, has resigned his office as Major-General of the fourth Division; and his resignation has been accepted.

J. BROOKS.

Council Chamber, June 18th, 1816.

CHAP. XLIII.

Resolve to release John Winch from prison.
18th June, 1816.

On the petition of John Winch, a prisoner in the gaol in Concord, in the county of Middlesex, praying that he may be discharged from a warrant of distress issued on a judgment of the Supreme Judicial Court, by force of which he is detained in said prison; for reasons set forth in said petition,

Resolved, That said Winch be discharged from said warrant of distress, and that the keeper of said gaol be authorized to suffer him to go at large on his paying the costs of *scire facias* on which said judgment was founded; *provided* said Winch be not detained there for any other cause; and *provided also*, that the said Winch enter into recognizance with two sufficient sureties, in such sum, as any two Justices of the Peace for the county of Middlesex, *quorum unus*, shall direct, for his appearance at the next term of the Supreme Judicial Court to be holden in said county, to answer to an indictment, then and there pending against him, and to abide the order of said Court thereon.

CHAP. XLIV.

Resolve empowering Eliab W. Metcalf, Administrator, to sell lands. 18th June, 1816.

Upon the petition of Eliab W. Metcalf, Administrator on the estate of Ebenezer Stedman, late of Cambridge, in the county of Middlesex, Esquire, deceased, praying for authority to sell and convey a certain lot of land, situated in Cambridge, belonging to the estate of said deceased, and bounded as follows; viz. beginning four feet from the house lately occupied by the deceased, and thence running twenty-nine feet on the county road, leading to West-Boston bridge, to the corner of the street leading to the College wharf; thence running thirty-five feet on the street last mentioned, to land owned by the Misses Masons; thence on land of said Masons twenty-nine feet to land of

said deceased; thence on land of said deceased, thirty-five feet, to the first mentioned bounds; it being the same lot leased by said deceased to Mr. Chester Sessions, of said Cambridge, by his lease, dated fourteenth of March, in the year of our Lord one thousand eight hundred and fifteen.

Resolved, For reasons set forth in said petition, that the said Eliab W. Metcalf be, and he is hereby authorized, in his capacity as Administrator, to sell and convey the said lot of land, and to perform all other acts relative thereto, in the same manner as the said deceased was authorized and obligated to do by the above mentioned lease.

CHAP. XLV.

Resolve empowering George J. Homer to sell the property left his sons by the late Jacob Homer. 18th June, 1816.

Upon the petition of George Joy Homer of Boston, it appeareth, that Jacob Homer, late of Natick, in the county of Middlesex, by his last will and testament, which was duly proved in the Probate Court in the county of Middlesex, on the ninth day of January, A. D. 1816, devised to his sons Charles Homer, Michael Homer, Gershom Homer and John Homer, the income or interest of one eighth part each of his real estate, thereby authorizing the sale thereof, and the proceeds to be placed in the hands of the said George Joy Homer as their Trustee, without giving express authority to any person to make such sale.

Therefore resolved, That he, the said George Joy Homer be, and he is hereby authorized and fully empowered to sell the several shares in said Testator's real estate, the income or interest whereof is devised to them by said will respectively, and to make and execute any deed or deeds effectual in law to convey the same, as fully as if the said Testator had expressly by his will authorized his Executors to sell and convey the same in fee, he the said George complying with the rules and regulations appertaining to the sale of real estates by Executors and Administrators, and giving bond with sufficient surety or sureties to the Judge of Probate in the county of Middlesex, for the due

and faithful execution of said trust, according to the true intent and meaning of the said will.

CHAP. XLVI.

Order on the petition of Charles W. Hare, Esquire, and others, Devisees in trust of the estate of the late William Bingham, Esquire. 18th June, 1816.

On the petition of Charles W. Hare, Esq. and of the other Devisees in trust of the estate of William Bingham, Esq. by the Hon. David Cobb, their Agent, praying that the Treasurer of the Commonwealth may be directed to suspend proceedings under the act of the General Court, passed the 15th day of February last, by which the said Treasurer is directed to issue his warrant to the Sheriffs of the counties of Oxford, Somerset, Hancock, and Washington, requiring them to collect within their own counties, the sums which by the several tax acts, for the years 1812, 1813, 1814 and 1815, were assessed on the several townships, or other tracts of improved lands, lying within their respective counties; but upon all which townships, or other tracts of unimproved land, there was not at the settlement of the last valuation any person residing thereon, or Assessors chosen, to whom said Treasurer could issue his warrants for the assessing and collection thereof:

Ordered, For reasons set forth in said petition, that the Treasurer of this Commonwealth be, and he hereby is directed to suspend the issuing of his warrants as in the act aforesaid is directed, until the end of the next session of the present General Court.

And it is further ordered, That the further consideration of said petition be referred to the next session of the present General Court.

No. 3 Report.—Schedule of Claims allowed at the War Office. 18th June, 1816.

No. 42. Amount allowed to Caleb Faxon, for slate for work at Savin Hill, - - - - - - - 16 00

43. To John Howland, for damages done to land at New-Bedford, - - - - - - - - - - 55 00
44. To David Payson, for damage done where troops were quartered at Wiscasset, 1814, - - 30 00
45. To the Selectmen of Cambden, for a sail boat lost in an attempt to secure prisoners, - - - 170 00
46. To the Selectmen of the town of Natick, for transportation and subsistence, - - - - - 7 00
47. To Daniel Quinnam, for military services, 1st regiment, 2d brigade, 11th division, - - - - 13 38
48. To Ephraim Rollins, for the use of the town of Nobleborough, for transportation, - - - 33 41
49. To Nathan Blanchard, for quarters for troops stationed at Wiscasset, - - - - - - - - 2 50
50. To Samuel and Gilbert Newhall, and William Little, for services in 1st brigade and 2d division, - - - - - - - - - - - - - - 15 00
51. To Aaron Hayden, for the use of Jonathan Wortman, for supplies to troops at Eastport, - - - - - 57 83
To Aaron Hayden, for his own use, for supplies to troops at Eastport, - - 161 51——219 39
52. To Lieutenant James Stevens and twenty-five others, for a pay-roll, 1st regiment, 2d brigade, 13th division, - - - - - - - - - - - 65 32
53. To Robert Parker, for the use of Lendres Grant and 10 others, pay-roll 4th regiment, 1st brigade, 10th division, - - - - - - - - - 50 20
54. To Russell, Cutler & Co. for printing notice to military claimants in Maine, - - - - - 27 00
55. To Adams & Rhodes, for printing notice to military claimants in Maine, - - - - - 27 00
56. To Alford Richardson, expense of printing notice to military claimants in Maine, at Portland, 45 50
57. To Jacob Kuhn, for taking care of War-Office to this date, - - - - - - - - - - - 43 50
58. To Alford Richardson, for services in paying the troops under the Resolve of 1st February, 1816, $35, and for a mistake in a former claim, $12 36, - - - - - - - - - - - - 47 36
59. To James W. Burditt, for sundries for the War-Office, to this date, - - - - - - - - 43 84

60. To Cyrus Eaton, for the use of Alexander Lermond and 4 others, for military services, 1814, 11 51
61. To Joseph H. Pierce, for his services in the War-Office, up to June, 1816, - - - - - 425 00
62. To Peter Oliver Alden, for making shot for the Commonwealth, - - - - - - - - - 399 19
63. To Margaret Webb, for damages done by troops at Cape Elizabeth, in 1814, - - - - 50 00

$1797 13

War-Office, June 18th, 1816.
Approved,
EDWARD H. ROBBINS, *Agent.*

CHAP. XLVII.

Resolve for paying certain claims allowed at the War-Office. 19th June, 1816.

Resolved, That his Excellency the Governor be, and he hereby is requested to draw his warrant on the Treasurer for the sum of one thousand seven hundred ninety-seven dollars, thirteen cents, in favor of the several corporations and individuals stated in the foregoing account, which sums when paid, shall be in full compensation for the several exhibits to which they refer.

And be it further resolved, That his Excellency the Governor be, and he hereby is requested to draw his warrant on the Treasurer, for the further sum of three hundred twenty-five dollars in favor of the Hon. Edward H. Robbins, which sum, in addition to three hundred dollars paid to him in pursuance of a resolve which was passed on the fifteenth February last, is to be in full for all services rendered by him in the War-Office; and the said Edward H. Robbins having performed the several duties assigned to him in the said office, his commission therein is hereby considered to be at an end.

CHAP. XLVIII.

Resolve providing for the expense of printing 1300 *copies of the fourth volume of Laws.* 19th June, 1816.

Resolved, That whenever the Printers shall present their account to the Secretary for the paper and printing of the thirteen hundred copies of the public acts of this Commonwealth, for which the Secretary was directed to make a contract, by a resolve of January twenty-sixth, one thousand eight hundred and sixteen, his Excellency the Governor, with advice of Council, be authorized and requested to draw his warrant on the Treasurer of the Commonwealth for the payment thereof; *provided* the expense shall not exceed one dollar and seventeen cents for each copy in printed sheets.

Be it further resolved, That when the volumes are bound and deposited in the office of the Secretary of the Commonwealth, his Excellency the Governor be authorized and requested to issue a warrant for paying the expense of binding the said volumes; one half thereof to be paid when half the number of volumes shall have been delivered into the office of the Secretary, and the remainder whenever the whole number shall have been deposited as aforesaid; *provided* the charge for binding shall not exceed forty cents for each volume.

CHAP. XLIX.

Resolve for limiting the time for making application for money. 19th June, 1816.

Resolved, That no application or motion for any grant of money, at the next session of this General Court, be received after the third Wednesday thereof.

CHAP. L.

Resolve providing for the pay of Loammi Baldwin and John Farrer, Esquires. 19th June, 1816.

Resolved, That there be paid out of the Treasury of this

Commonwealth to Loammi Baldwin and John Farrer, Esquires, five hundred dollars to enable them to ascertain the practicability of a navigable canal to unite Connecticut and Merrimack rivers, agreeable to a resolve of twenty-fifth day of January, 1816, they to be accountable for the same; and his Excellency the Governor is requested to draw his warrant on the Treasurer for the same.

CHAP. LI.

Resolve for the pay of Isaac Adams, Assistant to the Messenger of the Governor and Council. 19th June, 1816.

Resolved, That there be allowed and paid out of the public Treasury of this Commonwealth to Isaac Adams, the sum of two dollars and fifty cents, for each and every day he may have been employed as Assistant to the Messenger of the Governor and Council, the present session of the General Court; and his Excellency the Governor is requested to issue a warrant in favor of said Adams accordingly.

CHAP. LII.

Resolve for the pay of John Low, junior, Assistant Messenger of the House of Representatives. 19th June, 1816.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to John Low, jun. Assistant Messenger of the House of Representatives, fifty-five dollars for his services in that capacity, during the present session of the General Court.

CHAP. LIII.

Resolve for compensating the Secretary for preparing for press the fourth volume of the Laws of this Commonwealth. 19th June, 1816.

Resolved, That there be allowed and paid out of the

Treasury of this Commonwealth to Alden Bradford, Esq. Secretaryof the Commonwealth, one hundred and fifty dollars, in full, for his services in preparing for the press and superintending the printing of the fourth volume of the Laws of this Commonwealth; and his Excellency the Governor, with the advice of Council, is hereby requested to draw his warrant in favor of the said Secretary on the Treasurer for said sum.

CHAP. LIV.

Resolve making an addition to the salary of Jacob Kuhn, Messenger, $350. 19th June, 1816.

Resolved, That there be allowed and paid out of the public Treasury, to Jacob Kuhn, three hundred and fifty dollars for the present year, commencing the thirtieth day of May last, to be in addition to the sum of four hundred dollars allowed him by a resolve of March 26th, 1793, establishing the pay of the Messenger of the General Court.

CHAP. LV.

Resolve for the pay of Committee on accounts. 19th June, 1816.

Resolved, That there be allowed and paid out of the public Treasury, to the Committee appointed to examine and pass on accounts presented against the Commonwealth, for their attendance on that service during the present session, the sum of one dollar per day, in addition to their pay as Members of the Legislature, viz.

Hon. Silas Holman—nineteen dollars.
Hon. Thomas Weston—nineteen dollars.
James Robinson—nineteen dollars.
Alford Richardson—nineteen dollars.
Daniel Howard—eighteen dollars.

LVI.

Resolve authorizing Francis Cook to convey by deed an estate of the late Benjamin Walker. 19th June, 1816.

On the petition of Francis Cook, of Billerica, in the county of Middlesex, Guardian to Benjamin Walker, Timothy Walker, Sears Cook Walker, Horatio Walker, Isaac Brewster Walker, and Susanna Walker, all of Wilmington, in said county, minors, under the age of twenty-one years, and children of Benjamin Walker, Esq. late of said Wilmington, deceased;

Resolved, For reasons set forth in said petition that said Francis Cook be, and he is hereby authorized and empowered to sell and convey, and for that purpose to make, execute and deliver deeds to convey all the right, title, interest, claim and demands, of the heirs of said Benjamin Walker, which were bequeathed to the said Benjamin by the last will and testament of his late father, Timothy Walker, late of said Wilmington, Esquire, deceased; and also all the right, title, interest, claim and demand of James Walker, one of the legatees and child of the said Timothy, deceased; and the proceeds of said sale to be divided and disposed of according to the provisions of the will of said Timothy: He, the said Francis Cook, first giving bonds to the Judge of Probate for the county of Middlesex, for securing to the heirs of the said Benjamin and the said James Walker, the proceeds of said sale.

CHAP. LVII.

Resolve granting Jacob Kuhn $1000 *to purchase fuel, &c. for the General Court.* 19th June, 1816.

Resolved, That there be paid out of the Treasury of this Commonwealth to Jacob Kuhn, Messenger of the General Court, the sum of one thousand dollars, to enable him to purchase fuel, and such other articles as may be necessary for the use of the General Court, together with the Governor and Council Chamber, the Secretary's, Treasurer's, Adjutant-General's and Quarter-Master-General's Offices; and also the Land Office, he to be accountable for the expenditure of the same.

CHAP. LVIII.

Resolve to pay the Reporter of Contested Elections.
19th June, 1816.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth to Theron Metcalf, Esq. Reporter to the House of Representatives, in cases of contested elections, in full for his services during the last winter session of the Legislature, the sum of one hundred and twenty-five dollars; and his Excellency the Governor is hereby requested to draw his warrant on the Treasurer in favor of the said Metcalf for that sum.

CHAP. LIX.

Resolve for Militia Officers to pay over Fines.
19th June, 1816.

Whereas by the twenty-fourth section of the act for regulating, governing and training the militia of this Commonwealth, it is provided, that in case of invasion, insurrection, or other public danger, the militia shall be ordered out by the Commander in Chief, and that any person who shall be so ordered out, detached, or drafted, and shall refuse or neglect to obey said orders for the space of twenty-four hours, shall pay a fine of fifty dollars to the Commanding Officer of the company to which he belongs; such fines to be appropriated to the hire of other men to complete the detachment. And whereas during the late war, sundry fines were received by military officers, which have not been appropriated agreeably to the provisions of the said act—

Therefore resolved, That all military officers, and other persons, who may have received any fines pursuant to the provision of said act, or who may have any monies in possession, received for fines as aforesaid, and which have not been appropriated agreeable to said act, shall be, and they are hereby required forthwith to pay the same into the Treasury of this Commonwealth; and the Treasurer thereof is requested to give a receipt therefor accordingly.

CHAP. LX.

Resolve providing for the pay of the Page of the House of Representatives. 19th June, 1816.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the Messenger, to be paid by him over to Joseph Francis, one dollar twenty-five cents per day, for each day the said Francis shall have attended as Page the present session of the General Court.

CHAP. LXI.

Resolve granting pay to the Assistants to the Messenger of the General Court. 19th June, 1816.

Resolved, That there be allowed and paid out of the public Treasury of this Commonwealth to Warren Chase, Henry Bacon and Lewis Low, Assistants to the Messenger of the General Court, fifty cents each per day during the present session of the Legislature, in addition to the usual allowance of two dollars per day.

CHAP. LXII.

Resolve granting James Robinson, Esq. $500, *for expense of a Well and Engine House, in Court-House Yard.* 19th June, 1816.

Resolved, That there be paid to James Robinson, Esq. Agent for sinking a Well and building an Engine House near or in the State House Yard, five hundred dollars, for defraying the expense of the same; and that his Excellency the Governor be requested to draw his warrant on the Treasurer for the same, the said James Robinson to be accountable for the expenditure of said sum.

CHAP. LXIII.

Resolve establishing the pay of the Clerks in the public offices. 20th June, 1816.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the first Clerk in the Secretary's Office, also to the first Clerk in the Treasurer's Office, also to the first Clerk in the Adjutant-General's Office, fourteen hundred dollars each, in full compensation for their services for one year, from the first day of this current month of June; and likewise to each of the other Clerks in said Secretary's, Treasurer's and Adjutant-General's Offices, and also the Clerk in the Office of the Quarter-Master-General, three dollars and eighty-four cents per day, for each and every day they are respectively employed therein for one year, commencing the said first day of June current.

CHAP. LXIV.

Resolve making a grant to Theron Metcalf, Esq. Reporter of Decisions on Contested Elections of Members of the House of Representatives. 20th June, 1816.

Resolved, That there be allowed and paid out of the public Treasury, to Theron Metcalf, Esq. the Reporter of Contested Elections for this House, the sum of one hundred and twenty-five dollars for his services during the present session of the General Court.

CHAP. LXV.

Resolve for distributing Maps, &c. of the District of Maine. 20th June, 1816.

Resolved, That the copies of Moses Greenleaf's Map and Statistical View of Maine, subscribed for by the Secretary of the Commonwealth, under a resolve passed January 27, 1816, be distributed by the said Secretary in the man-

ner following, to wit: To the Clerk of each town or district, and to the Assessors of each plantation within the State which pay a State tax, one set for the use of each such town, district and plantation respectively; to the Clerk of the Courts in each county, for the use of the respective Courts therein severally, one set each; to the Land Office, Office, of the Quarter-Master-General, and of the Adjutant-General, one set each; to the President of the United States, the Senate and House of Representatives of the United States, the Library of Congress, one set each; to the University at Cambridge, to Williams and Bowdoin Colleges, to the American Academy of Arts and Sciences, and to the Massachusetts Historical Society, one set each.

And be it further resolved, That upon the death, resignation, or removal from office of either of the Clerks of the aforesaid towns or districts, the Assessors of said plantations, and the said Clerks of Courts, each of them respectively, his Executors and Administrators shall be holden and obliged to deliver over the same set, which shall have been received as afore provided, to his and their successor and successors in office for the uses aforesaid.

CHAP. LXVI.

Resolve providing for the pay of the Committee to examine Hallowell and Augusta Bank. 20th June, 1816.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to James Bridge, Esq. twenty-five dollars; to Ebenezer T. Warren, Esq. twenty-five dollars; and to Samuel Coney, Esq. forty dollars, in full for their respective services as a Committee, appointed at the last session of the last General Court of this Commonwealth, to inquire into the doings of the Hallowell and Augusta Bank, and to report thereon.

CHAP. LXVII.

Resolve granting Samuel Redington and Moses Greenleaf, $120 *each.* 20th June, 1816.

On the petition of Samuel Redington, who with Moses

Greenleaf was appointed a Committee to locate a road and perform certain other services pointed out in a resolve, passed 13th February, A. D. 1816:

Resolved, That there be paid to Samuel Redington and Moses Greenleaf, out of the Treasury of this Commonwealth, the sum of one hundred and twenty dollars each, on account of monies advanced and services performed, pursuant to a resolve, passed the 13th February, A. D. 1816, to be accounted for by them in the settlement of their accounts; and his Excellency the Governor is hereby requested to draw his warrant on the Treasury therefor accordingly.

CHAP. LXVIII.

Resolve fixing the pay of the Clerks of the Senate and House of Representatives. 20th June, 1816.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Samuel F. McCleary, Clerk of the Senate, and to Benjamin Pollard, Clerk of the House of Representatives, two hundred dollars each; and also to Robert C. Vose, assistant Clerk of the Senate, one hundred and twenty-five dollars; and to Thomas Walcutt, a Clerk in the lobbies for the assistance of the Members of the Legislature, one hundred dollars, in full for their services in said offices the present session of the General Court.

CHAP. LXIX.

Resolve for the pay of his Honor the Lieutenant Governor, Secretary and Treasurer's salary. 20th June, 1816.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to his Honor the Lieutenant Governor thereof, the sum of five hundred thirty-three dollars and thirty-three cents, in full for his salary for one year, from the thirty-first day of May last past.

Also to Alden Bradford, Esq. Secretary of this Commonwealth, the sum of two thousand dollars, as and for his salary for one year, from the sixth day of June instant; he the

said Secretary to be accountable for all the fees of office he shall have received.

And likewise to John Trecothic Apthorp, Esq. Treasurer and Receiver-General of said Commonwealth, the sum of two thousand dollars, as and for his salary for one year, from the sixth day of June current; and that all the aforesaid salaries be paid quarterly as they shall become due.

CHAP. LXX.

Resolve authorizing the Treasurer to borrow money. 20th June, 1816.

Resolved, That the Treasurer of this Commonwealth be, and he hereby is authorized and directed to borrow of any of the Banks in Massachusetts Proper, in addition to the sum now borrowed, any sum not exceeding one hundred thousand dollars, that may at any time within the present year be necessary for the payment of the ordinary demands made on the Treasury; and that he repay any sum he may borrow, as soon as money sufficient for that purpose, and not otherwise appropriated, shall be received into the Treasury.

LXXI.

Resolve for the distribution of the acts for the separation of Maine. 20th June, 1816.

Resolved, That the Secretary of this Commonwealth be directed to cause to be printed two thousand copies of the Report of the Committee on the subject of the separation of the District of Maine from Massachusetts Proper, and the Act which has passed the present session in relation thereto, and have the same forwarded, as soon may be, to the Sheriffs of the several counties in the District of Maine, in the proportion following, viz.: The county of York shall be entitled to receive three hundred and fifty copies; the county of Lincoln, three hundred and fifty; the county of Cumberland, three hundred and fifty; the county of Hancock,

two hundred and twenty ; the county of Washington, one hundred ; the county of Kennebec, two hundred and fifty ; the county of Somerset, one hundred and twenty ; the county of Oxford, one hundred and fifty ; the county of Penobscot, one hundred and ten. And it shall be the duty of the several Sheriffs of the counties aforesaid respectively, immediately on receipt thereof, to distribute the said report and act, among the several towns and plantations within their respective counties, as near as may be, in proportion to their population : *Provided* every town and plantation shall at least have one copy ; and it shall be the duty of the Selectmen of the several towns, and the Assessors of the several plantations in said District, at the meetings to be called on the first Monday in September next, in pursuance of said act, to cause the same, together with the said report, to be read at the opening of their respective meetings on the said day.

CHAP. LXXII.

Resolve on the Treasurer's Communication.
20th June, 1816.

Resolved, That the Treasurer of this Commonwealth be, and he hereby is authorized to receive the amount now due to this Commonwealth for interest and reimbursement of principal, on the debt due from the United States to this State, for the quarters ending December 31, 1814, and March 31, 1815, in such manner as he shall think best, under the direction of the Governor and Council, and for this purpose to substitute any person or persons to receive the same in behalf of this Commonwealth : *Provided however*, that on such part of the stock as has been assigned to the President, Directors and Company of the Boston Bank, the said interest and reimbursement shall not be received without the consent of the Directors of that Corporation first obtained in writing.

Resolved, That in case such payment of interest and reimbursement of principal on the stock now belonging to the State, shall be made in treasury notes, the Treasurer be, and hereby is authorized to fund the same, or to sell such notes ; in which latter case, such sum as shall arise from reimbursement of principal, shall be immediately applied to

the reduction, by purchase or otherwise, of the principal of the public debt of this Commonwealth.

Resolved, That the Treasurer of this Commonwealth be, and he hereby is directed, on receiving any future reimbursement of principal of the debt due from the United States to this Commonwealth, if in treasury notes, to fund or sell the same, and if sold, or if received in cash, immediately to appropriate the amount received to reduce, by purchase or otherwise, the principal of the State debt.

CHAP. LXXIII.

Resolve on the petition of E. S. Curtis. 20th June, 1816.

On the petition of Elijah S. Curtis,

Resolved, That the sum now charged against him by the Warden of the State Prison, for the use of the convicts, be remitted; and that the Directors of that institution be authorized and required to allow said Curtis the labor of twenty convicts for fifty working days: *Provided*, he establish and carry on the manufactory of brushes as heretofore; which is to be in full remuneration for the property destroyed, as set forth in his petition.

LXXIV.

Resolve directing the Commissioners on Eastern Lands to suspend their business. 20th June, 1816.

Resolved, That the Commissioners appointed by virtue of an act passed at the last session of the last General Court, entitled, "An act for promoting the sale and settlement of the public lands in the District of Maine," be, and they are hereby directed to suspend all proceedings under their commission, until the next session of the present General Court, any thing in the aforesaid act to the contrary notwithstanding.

ROLL No. 75....June, 1816.

The Committee on Accounts, having examined the several accounts they now present,

REPORT, That there are now due to the Corporations, and persons hereafter mentioned, the sums set to their names respectively; which, when allowed and paid, will be in full discharge of the said accounts, to the several dates therein mentioned: which is respectfully submitted.

SILAS HOLMAN, *per order.*

PAUPER ACCOUNTS.

Abington, for board and clothing Thomas Seymore, to 5th June, 1816,	32 08
Ashburnham, for supplies to Sukey Franklin, to 1st March, 1816,	15 34
Adams, for board, clothing and doctoring sundry paupers, to 22d May, 1816,	96 25
Adams, Samuel, for doctoring sundry prisoners, confined in Wiscasset for criminal offences, to 6th June, 1816,	25 00
Augusta, for board, clothing and doctoring sundry paupers, to 20th May, 1816,	97 50
Barnardston, for board, nursing and doctoring Oliver Stephens, till his death, 15th March, 1816,	42 18
Blandford, for board and clothing Samuel Walker, to 1st May, 1816,	97 00
Baldwin, for support of Daniel Hickey, to 1st May, 1816,	22 35
Boxborough, for board and clothing John McKoy, to 22d May, 1816,	66 42
Belgrade, for board, nursing and doctoring Abigail Odlin, to 20th May, 1816,	35 66
Brookfield, for board, clothing and doctoring Jonas Binton, and Abigail Severance, to 2d May, 1816,	80 90

Belchertown, for board and clothing sundry paupers, to 1st June, 1816,	89 83
Bridgewater, for board and clothing sundry paupers, to 3d June, 1816,	72 60
Bedford, for board, nursing and doctoring Daniel McCarter, to 22d May, 1816,	83 50
Beverly, for board and clothing sundry paupers, to 1st June, 1816,	145 94
Bellingham, for board and clothing Nathan Freeman and wife, to 1st May, 1816,	108 21
Belfast, for board and clothing the wife and children of Robert Rogers, to 1st April, 1816,	83 50
Bradford, Samuel, keeper of the gaol in Boston, for support of sundry poor prisoners, to 24th May, 1816,	343 92
Bristol, for board and clothing William How, to 20th May, 1816,	67 20
Bath, for board, doctoring and nursing John Sinclair, till his death, and funeral charges, 27th February, 1816,	191 45
Board of Health, Boston, for support of sundry paupers with small pox, at Rainsford Island, to 5th June, 1816,	72 00
Boston, for board and clothing sundry paupers, to 1st June, 1816,	7589 55
Conway, for board, doctoring and nursing Hannah McNeil, to 23d May, 1816,	72 69
Cheshire, for board, clothing and doctoring sundry paupers, to 23d May, 1816,	407 39
Cushing, for support of James Walker and Peggy Rowley, to 20th May, 1816,	54 00
Chesterfield, for support of Adam Hamilton, Rachel Polley and Thomas Thompson, to 1st May, 1816,	86 94
Colrain, for board, clothing and doctoring Rachel Hines and Sally Leominer, to 24th May, 1816,	87 17
Cape Elizabeth, for board and clothing James Ramsbottom, to 26th May, 1816,	31 29
Carlisle, for board and clothing Robert Barber, to 26th May, 1816,	24 67
Carver, for board and clothing Martin Grady, to 1st January, 1816,	134 40

Concord, for board, clothing and doctoring George Black and Mary Morton, to 31st March, 1816,	38 42
Camden, for board and clothing Joseph Bloom, to 5th June, 1816,	27 40
Dartmouth, for board, clothing and doctoring sundry paupers, to 20th May, 1816,	86 10
Durham, for board and clothing sundry paupers, to 1st January, 1816,	331 20
Dunstable, for board, doctoring and nursing Jonas French, till his death, 1st June, 1816, and funeral charges	133 00
Danvers, for board and clothing sundry paupers, to 4th June, 1816,	568 12
Elliot, for board and clothing Jacob Brewer and Abigail Randal, to the 3d June, 1816,	49 68
Egremont, for board and clothing Abraham Row, till his death, 6th April, 1816,	48 50
Enfield, for support of William Rice to 25th May, 1816,	36 72
Edgartown, for board and clothing Anthony Chadwick, to 27th May, 1816,	69 23
Friendship, for board and clothing James Metcalf, and Martha Bickman, to 3d June, 1816,	72 09
Franklin, for board and clothing Thomas Barre, to 2d June, 1816,	110 00
Foxborough, for board, doctoring and nursing Jacob Coats, to 10th June, 1816,	89 00
Gill, for board, clothing, doctoring and nursing sundry paupers, to 25th May, 1816,	175 78
Gorham, for support of Robert Gillfilling, to 1st June, 1816,	25 92
Guardians of Dudley Indians, for amount due them 1st May, 1816, which sum the Treasurer is directed to charge said Indians, and deduct the same from the sum due them from the Commonwealth, 25th, 1816,	153 27
Granville, for board, clothing and doctoring George Taylor, to 27th May, 1816,	27 14
Gloucester, for board and clothing sundry paupers, to 10th May, 1816,	1026 50
Greenwich, for board and clothing sundry paupers, to 25th May, 1816.	46 31

Holland, for board and clothing Jonathan Hill, to 16th February, 1816,	78 52
Hardwick, for board and clothing Hannah Morgan, to 1st June, 1816,	45 88
Hallowell, for board, clothing and doctoring sundry paupers, to 3d June, 1816,	196 94
Hodgkins, Joseph, keeper of the house of correction in the county of Essex, for support of sundry insane persons (including allowance by the Court of Sessions) to 6th June, 1816,	363 80
Hamilton, for the support of Mary Moncrief, to 5th April, 1816,	90 78
Kingston, for board of two children of Elizabeth Renney, to 25th May, 1816,	22 45
Lanesborough, for board and clothing sundry paupers, to 1st June, 1816,	207 44
Lenox, for board and clothing sundry paupers, to 24th, 1816,	68 90
Lee, for board, clothing and doctoring sundry paupers, to 29th May, 1816,	216 00
Littleton, for board and clothing John Putnam, to 3d June, 1816,	62 44
Leyden, for board and clothing sundry paupers, to 25th May, 1816,	57 95
Millbury, for board and nursing James F. Still, to 18th May, 1816,	64 25
Middleborough, for board and clothing John Fitzgerald and Betsy White, to 1st April, 1816,	27 53
Marshfield, for board and clothing Samuel Holmes, to 20th May, 1816,	61 58
Machias, for board and clothing Anthony Pepper and Moses Wheaton, to 1st June, 1816,	54 66
Marblehead, for board and clothing sundry paupers, to 30th May, 1816,	215 84
Merrell, John, for doctoring sundry prisoners in gaol, at Portland, to 26th May, 1816,	32 50
Manchester, for board and clothing Abraham Gloss, to 6th April, 1816,	55 00
Montague, for support of Joshua Searle, till his death, February, 1816,	28 42
Norwich, for support of Rhoda Rhoades, till her death and funeral charges,	128 85

Newry, for board and clothing William Burk, to 20th May, 1816,	25 92
Newbury, for board and clothing sundry paupers, to 1st June, 1816,	986 51
New-Castle, for board and clothing William Cochran, to 1st April, 1816, and Florentine Langton, till his death, and funeral charges,	59 55
New-Salem, for board, clothing and doctoring Philip Haven, to 1st April, 1816,	81 15
North Yarmouth, for board, clothing, doctoring and nursing William Matthews, till his death, and funeral charges, September, 1816,	43 51
Northfield, for support of Amos Riley, to 24th May, 1816,	19 80
Newburyport, for board and clothing sundry paupers, to 1st June, 1816,	1291 46
Northampton, for board and clothing sundry paupers, to 6th May, 1816,	148 23
Nantucket, for board, clothing, doctoring and nursing sundry paupers, to 27th May, 1816,	360 00
New-Bedford, for support of sundry paupers, to 30th March, 1816,	483 69
Peru, for board of James Robbins, to 20th May, 1816,	19 80
Plymouth, for board and clothing sundry paupers, to 2d June, 1816,	371 08
Prospect, for board and clothing Anne Haynes and Lydia Hayes, to 8th May, 1816,	118 10
Pittsfield, for board, clothing and doctoring sundry paupers, to 31st May, 1816,	339 67
Phipsburgh, for supplies to Jacob Wheeler, to 1st June, 1816,	17 00
Portland, for board and clothing sundry paupers, to 1st June, 1816,	1591 73
Readfield, for board, clothing and doctoring Edward Burges, and Collin Cameron, to 25th April, 1816,	118 84
Russell, for board and clothing John Baker and wife, to 1st June, 1816,	49 00
Rutland, for board and clothing William Henderson, to 27th May, 1816,	29 56

Richmond, for board, clothing and doctoring Thomas Rowley and Samuel Hill, to 24th May, 1816, 52 26

Rowley, for board, clothing, doctoring and nursing Ellen Collins and Benning Dow, 27th May, 1816, 60 90

Roxbury, for board and clothing sundry paupers, to 3d June, 1816, 339 80

St. George, for board and clothing Robert Hewes and Luke Keally, to 26th May, 1816, including funeral charges of Keally, 59 90

Starks, for supplies to Robert Arnold, to 22d May, 1816, 37 47

Somerset, for support of William Elliot, to 1st June, 1816, 20 00

Swansey, for board and clothing Garret Barnes and James Garrett, to 25th May, 1816, 47 50

Sturbridge, for board, clothing and doctoring London Derry, to 16th May, 1816, 27 53

Southwick, for support of George Reed, to 1st June, 1816, 95 41

South Berwick, for board and clothing Lemuel Woodsworth, to 4th June, 1816, 30 00

Sutton, for board and clothing Isabella Santee's five children, to 1st June, 1816, 60 20

Sandisfield, for board of Richard Dickson and wife, to 22d May, 1816, 16 00

Sandwich, for board, clothing and doctoring Richard Crouch and Rebecca Simonds, to 2d June, 1816, 59 33

South Reading, for support of Thomas Jackson, to 10th May, 1816, 24 26

Scituate, for board and supplies, to sundry paupers, to 25th March, 1816, 48 96

Springfield, for support of sundry paupers, to 9th January, 1816, 64 24

Salem, for board and clothing sundry paupers, to 3d June, 1816, 1729 31

Simonds, Caleb, keeper of the gaol in Concord, for support of sundry poor prisoners, confined for debt, to June, 1816, 91 50

Shirley, for board and clothing William Shearer, to 29th May, 1816, 93 00

Turner, for board and clothing William G. Martin, to 1st May, 1816,	54 00
Uxbridge, for support of sundry paupers, to 28th May, 1816,	79 17
Upton, for board and clothing Elbridge G. Farrar, to May, 1816,	28 40
Vassalborough, for board and clothing Abigail Fairbrother and George Fellows, to 21st May, 1816,	64 50
Wellington, for support of Kate Butler, to 1st June, 1816,	29 25
Westfield, for board and doctoring John Baker, to 29th May, 1816,	23 80
West Springfield, for board, clothing and doctoring sundry paupers, to 24th May, 1816,	90 22
Windsor, for boarding and clothing Rachel Smith, to 28th May, 1816,	20 05
Ward, for supplies to Francis Savage, to 27th May, 1816,	36 29
Williamstown, for board, clothing and doctoring sundry paupers, to 22d May, 1816,	223 05
Walpole, for board and clothing sundry paupers, to 24th May, 1816,	58 70
Washington, for board and doctoring Sylvester Edwards, to 23d May, 1816,	34 25
Worcester, for board and clothing sundry paupers, to 1st June, 1816,	130 26
Westbrook, for support of John Burns, to 9th May, 1816,	64 80
Waldoborough, for board, clothing, doctoring and nursing Phillip Handell, to 6th June, 1816, and John Handell, till his death,	134 22
Wayne, for support of Joseph Richards and wife, to 20th May, 1816,	127 43
Westhampton, for board and clothing John Gay and wife, to 25th May, 1816,	121 33
Wilton, for board, doctoring and nursing Esther Coombs, till her death,	68 31
Western, for board and clothing Eliza Trim, to 25th May, 1816,	22 40

York, for board and clothing sundry paupers, to 1st June, 1816, 175 95

26,249 58

MILITARY ACCOUNTS.

Courts Martial, and Courts of Inquiry.

Page, Samuel, for the expense of a Court Martial, held at Nobleborough, in August, 1814, whereof Colonel Erastus Foot was President, 94 77

Page, Samuel, for the expense of a Court of Inquiry, held at Nobleborough, in July, 1814, whereof Major Isaac G. Reed was President, 29 64

Fogg, Simon, for the expense of a Court Martial, held at Limerick, County of York, in July, 1815, whereof Colonel Daniel Lewis was President, 141 66

Allen, Samuel, jun. for the expense of a Court Martial, held at Worcester, in March, 1816, whereof Colonel Henry Sargent was President, 76 22

King, C. James, for the expense of two Courts Martial, held at Salem, in January and February, 1816, whereof Colonel James Appleton was President, 318 31

Allen, James, for the expense of a Conrt Martial, held at Bridgewater, in May, 1816, whereof General Benjamin Lincoln was President, 219 00

Mattoon, Ebenezer, Adjutant-General, for the expense of a General Court Martial, held at Dedham, in March, 1816, General Nathaniel Austin, President, 386 44

Mattoon, Ebenezer, Adjutant-General, for the expense of a General Court Martial, held at Salem, in March, 1816, General Arnold Welles, President, 374 53

Mattoon, Ebenezer, Adjutant-General, for the expense of a General Court Martial, held at Lancaster, in March, 1816, General Jacob Bliss, President, 336 08

Mattoon, Ebenezer, Adjutant-General. for the expense of a General Court Martial, held at Bucks-town and Bangor, in March, 1816, General Alford Richardson, President,	2462 41
	4439 06

Brigade-Majors and Aids-de-Camp.

Allen, jun. Samuel, to 29th May, 1816,	66 45
Clap, Ebenezer, to 7th February, 1815,	42 05
Dutch, Ebenezer, to 1st June, 1816,	67 68
Mattoon, Ebenezer, jun. to 11th May, 1816,	10 00
Mitchell, Daniel, to 8th May, 1816,	26 50
Starr, James, jun. to 1st January, 1816,	52 46
Thatcher, George, to 1st September, 1815,	24 60
	289 74

Brigade-Quarter-Masters.

Butterfield, Joseph, to 1st October, 1815,	44 75
Scott, John, to 1st October, 1815,	14 80
Thomas, Nathaniel, to 1st October, 1815,	8 85
	68 40

Adjutants.

Arms, George, to 22d September, 1815,	22 73
Adams, Charles, to 8th April, 1816,	25 63
Adams, Thomas, to 1st January, 1816,	110 96
Bray, Oliver, to 13th September, 1815,	16 02
Bradley, jun. Enoch, to 8th March, 1816,	16 95
Clark, Gilbert, to 20th April, 1816,	16 38
Champney, John, to 29th May, 1816,	55 30
Chase, L. Thomas, to 8th April, 1816,	14 35
Dean, Josiah, to 19th September, 1815,	18 89
Fairfield, Jotham to 20th April, 1816,	36 54
Gilmore, Rufus, to 5th September, 1815,	17 45
Grennell, George, to 26th July, 1815,	36 45
Gilbreath, John, to 26th April, 1816,	19 35
Hudson, R. John, to 4th June, 1816,	19 70

Heald, jun. Josiah, to 2d February, 1816,	18 00
Jewett, Jesse, to 15th January, 1816,	25 78
Keith, Cyrus, to 1st June, 1816,	33 45
Knight, Jonathan, to 17th March, 1816,	3 47
Keith, Joseph, to 12th January, 1816,	29 21
Needham, Joseph, to 22d May, 1816,	23 33
Lewis, Philo, to 7th June, 1816,	28 39
Ruggles, Brigham, to 4th April, 1816,	4 43
Rice, Alvin, to 1st September , 185,	18 52
Richardson, Wyman, to 11th April, 1816,	29 25
Sever, James, to 7th March, 1816,	31 50
Shattuck, Daniel, to 17th September, 1815,	45 63
Sayles, Richard, to 4th June, 1816,	17 18
Sayles, Willard, to 1st June, 1816,	52 37
Scammon, F. John, to 22d May, 1816,	11 86
Tainter, Harvey, to 30th January, 1816,	11 19
Thompson, Charles, to 21st May, 1816,	80 69
Worthington, Gad, to 22d May, 1816,	27 47
Wyles, John, to 15th May, 1816,	13 63
Wilder, David, to 5th April, 1816,	20 43
Wild, Jonathan, jun. to 17th May, 1816,	194 16
Valentine, Lynde, to 1st September, 1815,	7 33
	1153 97

Expenses for Horses to haul Artillery.

Acock, William, to 7th October, 1815,	5 00
Bicknell, Nathaniel, to 28th October, 1815,	7 50
Barron, Isaac, to 6th October, 1815,	12 50
Hixon, Richard, to 20th October, 1815,	4 92
Kelly, Sylvanus, to 12th October, 1815,	5 00
Ladd, G. Samuel, to 12th September, 1815,	6 25
Lane, David, to 12th April, 1816,	7 50
Phelps, Julias, to 14th October, 1815,	5 00
Ruggles, David, to 12th October, 1815,	4 92
Mayhew, Frederick, to 10th October, 1815,	7 50
	66 09

Courts Martial, &c.	4439 06
Brigade-Majors, &c.	289 74
Adjutants,	1153 97
Expenses for Artillery Horses,	66 09
Total Military,	6017 26

SHERIFFS AND CORONERS' ACCOUNTS.

Cooper, John, Sheriff of Washington, for returning votes for Governor, Lieutenant-Governor and Senators, April, 1816,	28 00
Gardner, Latham, Coroner for Nantucket, for inquisition and expenses in burying a stranger, November, 1815,	21 15
Hoyt, Epaphras, Sheriff of Franklin, for returning votes for Governor, Lieutenant-Governor and Senators, April, 1816,	7 60
Johnson, Jotham, Coroner for Middlesex, for inquisition and expenses in burying a stranger, October, 1815,	36 30
Mattoon, Ebenezer, Sheriff of Hampshire, for returning votes for Governor, Lieutenant-Governor and Senators, April, 1816,	7 20
Richardson, Amasa, Coroner for Norfolk, for inquisition and expenses in burying a stranger, May, 1816,	25 00
Thatcher, Samuel, Sheriff of Lincoln, for returning votes for Governor, Lieutenant-Governor and Senators, April, 1816,	15 20
Watson, George, Sheriff of Hancock, for returning votes for Governor, Lieutenant-Governor and Senators, April, 1816,	20 00
Parker, Jacob, L. Coroner for Middlesex County,	21 00
Total Sheriffs and Coroners,	181 45

PRINTERS' ACCOUNTS.

Adams & Rhoades, for publishing Resolve of the General Court, by order of the Secretary, April, 1816,	2 00

Allen, Abel, D. for printing for the Government, June, 1816,	26 00
Clapp, William, for publishing Acts and Resolves, to July, 1816,	18 00
Cushing, Thomas, for publishing Acts and Resolves, to June, 1816,	16 67
Dickman, Thomas, for publishing Acts and Resolves, to April, 1816,	18 17
Edes, Peter, for publishing Acts and Resolves, to 1st July, 1816,	16 67
Lindsey, Benjamin, for publishing Acts and Resolves, to May, 1816,	16 67
Manning, William, for publishing a Resolve of General Court, per order of the Secretary, April, 1816,	2 00
Shirley, A. & J. for publishing Acts and Resolves, for the year 1815,	18 67
Tileston & Weld, for printing for the Agricultural Society, June, 1816,	190 00
Russell, Benjamin & Co. for printing for the Government, to 18th June, 1816,	3413 50
Total Printers,	3738 35

MISCELLANEOUS ACCOUNTS.

Agricultural Society, for sundry expenses in raising seeds, plants, and by experiments made by said Society in the public Garden at Cambridge, under the direction of W. D. Peck, 1815,	636 06
Austin, Richard, for setting glass in State House,	1 50
Apthorp, J. T. for cash paid Robert Lash, for quills for use of government, June 18th, 1816,	25 00
Bacon, Henry, for assisting the Messenger of the General Court, to 19th June, 1816,	46 00
Burditt, James, W. for Stationary furnished the Government, to 7th June, 1816,	129 56
Bradley, Josiah, for Oil for the use of the Government, to 5th June, 1816,	157 95
Ballard, J. & J. for Carpeting, &c. for State House, June, 1816,	293 00

Boston Board of Health, for sundry repairs on the schooner Trimmer, belonging to the Commonwealth, 1st June, 1816,	191	92
Chase, Warren, for assisting the Messenger of the General Court, to 19th June, 1816,	46	00
Durant, William, for Glazier's bill, and cleaning windows of State House, to June, 1816,	41	00
Hunewell, Jonathan, for repairing State-House Yard, &c June, 1816,	673	17
Kuhn, Jacob, for balance due him on 17th June, 1816, over and above the several grants made by the General Court, of 14th June, 1815, and 12th January, 1816,	82	43
Lincoln, Amos, for sundry repairs on the State House, to May, 1816,	57	25
Loring, Josiah, for Stationary furnished the Government, to June 14th, 1816,	122	41
Low, Lewis, for assisting the Messenger of the General Court, to 19th June, 1816,	46	00
Thompson, James, for Iron Work for the State House, to 5th June, 1816,	158	65
Tufts, Charles, for Bricks supplied the Government, May, 1816,	105	00
Whitney, Jonathan, for Lime, Sand and Stone, June, 1816,	246	66
Total Miscellaneous,	3059	56

Aggregate of Roll No. 75.

Expense of State Paupers,	26,249	58
Do. of Militia,	6,017	26
Do. of Sheriffs and Coroners,	181	45
Do. of Printers,	3,738	35
Do. of Miscellaneous,	3,059	56
	39,246	20

Resolved, That there be allowed and paid out of the public Treasury to the several Corporations and persons mentioned in this Roll, the sums set against such Corporations and persons' names respectively, amounting in the whole to

the sum of thirty-nine thousand, two hundred forty-six dollars and twenty cents, the same being in full discharge of the accounts and demands to which they refer.

In Senate, June 19th, 1816.
Read and accepted, sent down for concurrence.
JOHN PHILLIPS, *President.*

In the House of Representatives, June 19th, 1816.
Read and concurred.
TIMOTHY BIGELOW, *Speaker.*

June 19th, 1816....Approved.

J. BROOKS.

COMMONWEALTH OF MASSACHUSETTS.

Secretary's Office, September 2d, 1816.

By this I certify, that the Resolves, &c. contained in this pamphlet, which were passed at the session, commencing May 29th and ending June 20th, 1816, have been compared with the originals in this Office, and appear to be correct.

ALDEN BRADFORD,
Secretary of the Commonwealth.

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RESOLVES

OF THE

GENERAL COURT

OF THE

Commonwealth of Massachusetts,

PASSED AT THEIR SESSION,

WHICH COMMENCED ON WEDNESDAY, THE THIRTEENTH DAY OF NOVEMBER, AND ENDED ON THE FOURTEENTH OF DECEMBER, 1816.

Published agreeably to a Resolve of 16th January, 1812.

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1816.

RESOLVES

OF THE

GENERAL COURT OF MASSACHUSETTS,

PASSED AT THEIR SESSION,

WHICH COMMENCED ON THE 13th NOVEMBER, AND ENDED ON

THE 14th DAY OF DECEMBER, A. D. 1816.

GOVERNOR'S SPEECH.

REPRESENTATIVES' CHAMBER, NOVEMBER 13th, 1816.

At 12 o'clock, the Senators attended in the Representatives' Chamber, agreeably to assignment, when his Excellency the Governor came in, accompanied by his Council, the Secretary of the Commonwealth, and other officers of government, and delivered the following

SPEECH:

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

THE special purpose of your convening at this season, being the choice of Electors of President and Vice-President of the United States, agreeably to a resolve that passed on the thirteenth day of June last, no suggestion of mine will be necessary to induce you to enter upon the execution of that important duty with all the deliberation which a due regard to the national interests and the honor of Massachusetts, can demand. The duty is not only important, as the

ultimate result of it may respect individuals, but as the continuance of the national government depends upon the choice of Electors, the obligation to perform it is imperious. The mode indeed, being optional, a diversity in practice among different states, and in the same state at different times, may be expected. But while the great, the imperative demand of the Constitution, in this particular, is fulfilled by the State Legislatures, agreeably to the dictates of their best judgment, there can be but little ground for the apprehension of mischief, in a discretionary selection of a constitutional mode.

Among the subjects which may probably solicit your attention, at the present time, the question respecting the separation of the District of Maine, may not be viewed as the least important. The people of the two sections of the State, between whom the question of separation is pending, were generally derived from the same origin, and were educated in the same principles of civil and religious liberty; and they and their fathers freely commingled their blood in combatting for their country's independence; and with one accord, united in framing the existing Constitutions of government. And while they have been highly respectable as a whole, they have been mutually satisfied and happy in the relation of members and brethren of the same family. May no root of bitterness spring up to alienate their affections, whether united or separate. Judging from the ingenuous and dispassionate manner in which the subject has been hitherto discussed in your respective houses, we may confidently hope that wisdom will mark its future progress. Influenced, as you undoubtedly will be, by a due respect for the interests and happiness of the people in both sections of the Commonwealth, and under the guidance of a spirit of candor and moderation, there can exist no cause to awaken our apprehensions of an inauspicious result.

A resolve that passed the Legislature on the fifteenth of June last, authorized and requested the Governor, with the advice of Council, to appoint one or more persons, at his discretion, and at such time, and in such manner as he might deem expedient, to present the accounts and claims of this Commonwealth, for military services rendered, supplies and munitions of war furnished, labor performed, and expenses incurred, during the late war with Great Britain, and arising in consequence thereof, to the government of

the United States, for allowance; and to settle and adjust the same.

The subject of this resolve was, immediately after it had passed, submitted to the Council, and after due consideration, a postponment of the appointment of an Agent or Agents, for the purposes expressed in the resolve, was advised. The advice of Council was understood to be grounded upon the opinion, that some special legislative provision of the national government was prerequisite to the settlement of our accounts at the War Office. If I mistake not, the report of the then Secretary of War, made to Congress in March last, is decisive on this point. The correctness of the advice of Council has since been supported by a coincident opinion of all the members of Congress whom I have had an opportunity of consulting upon the subject under consideration. That you may be fully possesssed of the measures which had been adopted prior to the passing of the resolve of the fifteenth of June last, the Secretary will lay before you a copy of the proceedings of the Council the last year, resorted to with the design of having the amount and the items of our accounts and claims against the United States, brought into the view of the general government.

It will now rest with your wisdom, gentlemen, to allow the subject to progress in the course contemplated by the resolve last mentioned, or give it some other direction, which you may deem more eligible.

I have received from the Honorable James Monroe, Esquire, Secretary of State, a letter, dated the twenty-fifth of October last, communicating the agreeable information, that lands belonging to some of the citizens of Massachusetts, on Moose Island, which had been withheld from them by the orders of the Governor General of Canada, had recently, by the interposition of the National Executive, been restored to them. A copy of the letter I have instructed the Secretary to lay before you.

I have, at the same time, the satisfaction of communicating to you, Gentlemen, a copy a letter I have received from the Ordnance Department of the United States, by which I am informed, that where arms and equipments may be found due to a State, on the apportionment of its quota according to law, the Ordnance Department is desirous, and will be prepared, to supply the same without delay. According to a

return made to me by the Quarter-Master-General, I find that the Commonwealth has received only thirty-one hundred muskets, without any equipments, since the law of the United States, appropriating two hundred thousand dollars annually for arming and equipping the whole body of the militia, was passed on the twenty-third day of April, 1808. We may therefore, I apprehend, confidently look forward to the period when we shall not only receive the number of arms now due to us, but when the ranks of our militia may be relieved from the present burden that falls heavily upon a large proportion of them, of furnishing their own arms and equipments for the public defence. The balance due to Massachusetts I am unable to ascertain, as the data upon which the ratio is to be deduced, are not within my control. But the necessary measures are in train for ascertaining and receiving the amount. While on this subject, I would suggest for your consideration, the propriety of authorizing and directing the Quarter-Master-General to cause all the muskets belonging to the State, to be designated by an appropriate mark or stamp.

The annual return of the militia, made by the Adjutant-General, and four returns from the Quarter-Master-General, marked No. 1, 2, 3, and 4, will be laid before you by the Secretary. In referring to the return of the militia, I am led to mention to you, Gentlemen, that in the course of the past autumn, I have had an opportunity of seeing a considerable number of the regiments and brigades of the militia of this Commonwealth; and it is but doing justice to them to observe, that their arms were efficient, and in good order, that the appearance of the men was generally highly martial, and their movements correct. It is likewise due to the liberality and wisdom of the Legislatures of several former periods, to observe, that much of the regularity of the militia, of the uniformity of their discipline, and of the intelligence of the officers, is to be ascribed to the system of discipline, and other means of information, that have been placed, at the public expense, at different times, in the hands of the officers.

In conclusion, I avail myself, of the occasion, Gentlemen, to felicitate you upon the continuance of peace, upon the prevalence of good order, the restoration of public credit, and the general aspect of prosperity, contentment and happiness, which our country exhibits. Commerce, if not ex-

empt from restrictions, which other times and different conditions of the world did not impose, employs an immense capital, and demands and circulates all the surplus products of our country.

Immunity from pecuniary embarrassments at the termination of a war unequalled in modern times in duration, that had subverted the principles of social order, of political economy and regular commerce, through a great part of the civilized world, was utterly impossible. After such an arduous and dreadful conflict, time is necessary to tranquilize the world; to allow the faculties of men duly to estimate the new relations that peace has produced among nations; and for individuals to accommodate their feelings, views and habits to the actual state of things. Happy will it be for us, if we learn wisdom from experience: if from the force of circumstances, we are taught the value of circumspection and economy, of industry and moderation.

Wishing you, Gentlemen, all the satisfaction that can result from faithful endeavors to render your constituents happy, I only add a tender of any facilities in my power to aid your efforts.

J. BROOKS.

Council Chamber, Nov. 13, 1816.

ANSWER OF THE SENATE.

May it please your Excellency,

THE Senate have received with the respect due to the Chief Magistrate, the communication which your Excellency has been pleased to make at the opening of the session; and trust, that in the discharge of the duty for which the Legislature have more especially convened, they have been governed by the principles which your Excellency has recommended, and which a due regard to the "national interests, and the honour of Massachusetts," required them to observe.

The right of the Legislature to appoint, at their discretion, Electors of President and Vice-President, is, we presume, no longer questioned; and the Senate entertain no doubt, that the mode which has been adopted, is proper in itself, and most convenient, and least expensive to the Commonwealth.

The Senate of Massachusetts cannot view the result of the election as it "may respect individuals," with indifference, or consider it unimportant, on whom the suffrages of the State may be bestowed. Yet the salutary lessons which calamity has inculcated, and the recent adoption of those measures, by which the earliest operations of the federal goverment were so successfully distinguished, afford pledges, we hope, that the peace of the country will not be rashly sacrificed, or its commerce abandoned; whoever may be elevated, by the will of the people, to the supreme authority.

The subject of the separation of the District of Maine, so important in the consequences that may result from it; and the deep interest which it has excited, will receive our earliest attention. With the people of that portion of the Commonwealth, we have long lived as brethren. They are generally derived, as your Excellency has been pleased to observe, from the same origin, and have been educated in the same principles with ourselves. The liberality and

moderation which your Excellency considers the Legislature to have evinced, in past measures on the subject, will, we have no doubt, continue to be manifested. If we are yet to remain united, we trust that union may continue to be a blessing to us; and if separated, that we may not therefore *be divided against each other;* that as we have lived in harmony, they may part from us in peace, and that instead of bitterness and reproach, the wisdom from above, which is *pure and peaceable,* may influence and guide them.

The claim of Massachusetts on the general government, for expenses incurred during the late war, is so equitable in itself, that we cannot doubt, that a speedy provision of the national legislature on this subject, will facilitate its adjustment: and that no local or party feelings will be permitted to usurp the place of that liberal and magnanimous policy, which renders *equal and exact justice to all,* and is alone worthy of the dignity and character of the national councils. In the measures which may be deemed expedient, in bringing this important subject to a conclusion, your Excellency may rely on every aid, in the power of the Senate to afford.

We participate in the satisfaction expressed by your Excellency, at the restoration of a part of the property, of which our citizens were deprived during the late war; and in the prospect, that this State will shortly receive its proportion of arms and equipments from the Ordnance Department.

The improved and improving state of the militia throughout the Comonwealth, is a subject of pride and congratulation. They are the ornament and defence of the land; and while their present order and discipline is to be attributed as well to the wisdom of past legislatures, as to the energy and intelligence of their officers, we trust that every necessary aid and encouragement will continue to be given to them. We are happy also, that their exertions the present season have been rewarded by the approbation of one, who has himself exemplified, how illustrious is the union of valour with virtue, and how graceful are the laurels which encircle the sword of the patriot.

After so long a period of public calamity, prosperity seems to be returning to us; and new channels are opened for the display of our former industry and enterprize. The Senate of Massachusetts rejoice with your Excellency, at the tranquillity which has succeeded to the commotions of

the last twenty years ; the restoration of public credit and commercial intercourse ; the liberal aids afforded to the cause of religion and charity ; and the increased brightness and diffusion of the light of literature and science. Time must indeed be allowed for individuals to accommodate their habits and pursuits to the revolution, which has changed all the political and commercial relations of the world. Yet have we not suffered in vain, if misfortune has taught us wisdom ; if we have learned the necessity of economy, and the vanity of profusion ; if, finally, we have reaped those precious fruits of experience, which will enable us to subdue the passions, and correct the vices, which have exposed us to our late evils and privations ; we shall then more justly appreciate the blessings we enjoy ; shall be more ardently engaged in preserving and communicating them, and in cherishing those ancient and venerable institutions of knowledge, morality and piety, which it is our truest interest to patronize and protect.

In the advancement of these measures, the Senate of Massachusetts tender to your Excellency assurances of their most zealous co-operation and support.

ANSWER

OF THE

HOUSE OF REPRESENTATIVES.

May it please your Excellency,

THE Legislature, at their last session, having exercised their discretionary power, of determining in what mode the Electors of President and Vice-President of the United States should be appointed, by resolving that they should be chosen by the joint ballot of both branches of the Legislature in convention, have performed that important duty, by the choice of two Electors at large, and of one resident in each congres sional district inthe State. This mode of appointment has twice before been adopted by us, and as most of the States in the Union have provided for the appointment of their Electors, either by a general ticket, or by the Legislature, thereby securing to themselves a representation of the undivided will of the majority, it was thought expedient that the will of the majority in this State, which is fairly represented in the Legislature, should also be expressed by us. As it had been determined to complete the usual business of the year at this session, their appointment in this manner, it was also considered, would be the least expensive. The sentiments of most of the Electors being known, and many of the candidates for the office, in various parts of the country, having pledged themselves to vote for such persons as had previously been designated, it is not expected, that the exercise of our privilege, at this time, will affect the result of the election. Our votes, even if given for the most prominent candidate, will not be requisite for his choice ; and, if given for any other, will be unavailing : Yet, by our performance of the obligations imposed on us by the Constitution, under such circumstances, we evince an attachment to the Union of the States, our estimation of our rights, and our unwillingness to surrender our elective privileges. Having regard to the spirit of the Constitution, such judicious and discerning men have been appointed Electors, who, by their

residence in various parts of the State, their knowledge of the local interests of the people, and their acquaintance with the public sentiment, we doubt not will duly regard our own honor and the national interests.

The question of the separation of the two great sections of the State, inhabited by people who were, generally, "derived from the same origin, educated in the same principles of civil and religious liberty, and who, and their fathers, freely commingled their blood, in combatting for their country's independence, and united in framing the existing constitution of government," shall receive that ingenuous attention, and be discussed in that dispassionate manner, which the importance of the subject, and your Excellency's recommendation, require. Having a due respect for the interests and happiness of the people of both sections of the Commonwealth, and under the guidance of that spirit of candor, which you are pleased to say, has heretofore distinguished our proceedings; we trust that "no root of bitterness will spring up" to alienate the affections of a people from each other, who have been highly respectabe as a whole; and "have been mutually satisfied and happy in the relation of members of the same family."

The subject of the resolve of the fifteenth of June last, making provision for causing "the claims of this Commonwealth, for the expenses incurred for the general defence, during the late war, to be presented to the government of the United States, for allowance," the House of Representatives will consider, with that attention, which the importance of the subject demands.

The Constitution of the United States having vested in Congress the power, "to provide for calling forth the militia, to execute the laws of the Union, suppress insurrections and repel invasions," the Commander in Chief of this Commonwealth, by the advice of Council, and in concurrence with the opinion of the highest judicial tribunal of the State, exercised the power, which in their opinion, was constitutionally required of him, of determining, when any of the exigencies aforesaid existed. As in the early part of the war, the militia of Boston, Salem, and other populous places, were sufficient, it was not necessary that other troops should be detached for their defence; while those requested by the orders of the President, for the protection of our

eastern frontier, where the population was more scattered, and incursions might more easily be made, were detached, and stationed at Eastport and Robbinston, and placed in the service of the United States.

While the ships of the enemy, in the first year of the war, were, generally, cruizing separately, for the purpose of making maritime captures, and no preparations were made for landing, the militia, already organized, armed, drilled, and well provided with amunition and military stores, by remaining at their several homes, on the seacoast, could more readily rendezvous at the place of alarm, and would form a more adequate defence of the whole, than if they were actually embodied in separate places, thereby inviting attack upon those left exposed.

It will, perhaps, be admitted as a general principle, that the inducement which an enemy's ship has to make a sudden attack on a town, or place, for the purpose of producing alarm among the inhabitants, will be increased in the ratio of the population of such place; and in the ratio of our population is the strength of our militia. It was, therefore, the opinion of the Chief Magistrate, that by "detaching a part of the militia, and distributing it into small portions, the defensive power would be diminished." To guard against dangers, however, which were not apparent, soon after the declaration of war, a general order was issued, vesting every officer in the State with a discretionary power to call out the militia under his command, "in case of actual invasion, or whenever, in his opinion, there was such imminent danger of invasion, as would not admit of delay," without waiting for the particular order of the Commander in Chief, or or even those of his superior in command. The experience of a year afforded good evidence, both of the sufficiency and economy of this mode of defence. But in the latter part of the war, when the enemy's fleets appeared in force, with troops on board, prepared for invasion, then the militia from the interior of the State were called out, and embodied; some of them detached for the service of the United States, were placed in their garrisons; others, under the command of their own officers, and in the service of the State, were stationed in forts, which were either erected by the patriotic labors of our citizens, or at the expense of the Commonwealth, and the residue, in other situations of imminent danger, where they could most easily co-operate with those on

the coasts, who were still kept in reserve. Thus the whole extent of our maritime frontier presented to the enemy one general line of defence. While in many towns vast expenditures of money and labor for the erection of forts and for providing the means of defence, were made by the voluntary contributions and efforts of our citizens, in others, the troops of the State were employed in fatigue duty, and by them many of the United States' forts in Massachusetts Proper, and all of them in Maine were strengthened, and new works were erected to increase the means of protection and security This State, which had already furnished more sailors for our navy, and more recruits for the army than any other, and which had been unwillingly involved in war, when the national credit was low, when public confidence had ceased, and when the Treasury of the United States was exhausted, opened its coffers, extended its credit, and employed all its resources for the general defence. Without the means thus furnished, it would have been impossible to have prevented a greater portion of it from being possessed by the enemy.

Can a claim for services thus rendered, and for expenditures thus made, the propriety and necessity of which were never doubted, be refused? Every principle of honor and justice represses the indulgence of such an apprehension.— The President's Message, at the opening of the last session of Congress, in which he says, that "there will probably be some addition to the public debt, upon the liquidation of various claims which are depending, and a conciliatory disposition on the part of Congress, may lead honorably and advantageously to an equitable arrangement of the militia expenses incurred by the several States, *without the previous sanction or authority of the government of the United States,*" authorizes different expectations. Such a refusal, by a government, whose duty it was to protect the several States from invasion, but which at this time had not sufficient means within its control, would tend to produce distrust and jealousy; to alienate the affections of the people from their government; to weaken their confidence in the justice of their rulers; and would eventually destroy that spirit of conciliation and harmony which happily prevails throughout our country. We indulge the fond hope, that the candor and moderation which now characterize the measures of the national government, will soon eradicate those prejudices against separate sections of our country, which were found-

ed in error or misinformation; and which, so long as they are cherished, will prevent that hearty co-operation, in the means of self protection, which experience has proved to be more necessary in the States of a confederacy, than in a government of a more consolidated form.

Although we do not doubt the correctness of the advice of council, confirmed as it was by the coincident opinion of such of the Members of Congress from this State, as were consulted upon the subject; yet we cannot refrain from expressing a confident belief, that when our claim supported by regular vouchers, shall be presented, it will be received and allowed, with the claims of other States, founded on the same principles.

We receive great satisfaction from the information your Excellency has communicated, that the Ordnance Department of the United States is prepared to supply the quota of arms and equipments, due to this State, under the Law of the United States of the 23d day of April, 1808, "appropriating $200,000 annually, for arming and equipping the whole body of the militia." As Massachusetts is entitled to about one tenth part of the arms which have been contracted for or purchased by the sum of $1,600,000, which has been appropriated for the purpose, we may confidently look forward to the period, "when the ranks of our militia may be relieved from the burthen, which falls heavily on a large portion of them, of furnishing their own arms and equipments for the public defence;" and the State from the necessity of making such large appropriations, as have heretofore been deemed expedient for their purchase.

It is a subject of congratulation, that your Excellency has availed yourself of several opportunities of reviewing a number of the regiments and brigades of the militia, this autumn: and, "that their arms were efficient, and in good order; the appearance of the men, generally, highly martial; and their movements correct." Animated by the bright example of him, for whose former services they are grateful, and to whose experience in the highest military department of the State, their improvements may, in a great measure, be ascribed, we do not doubt, that under the direction of skilful officers, the militia will long continue to be the ornament and security of the State.

We cordially reciprocate your Excellency's congratulations, upon the "general aspect of prosperity, contentment

and happiness which our country exhibits." It could not be expected, that the people would immediately accommodate their feelings, views and habits, to such a sudden change, as was produced by the termination of a conflict, in which the whole world seemed to have been engaged. When those habits of frugality and temperance, necessary in the existing state of things, are established; when, by the extension of commerce, the enterprize of our merchants shall have discovered the most lucrative sources of trade; when our imports shall be reduced to the value of our exports and the demand for consumption, we may anticipate the enjoyment of most of the blessings resulting from a general peace. Yet, even then, the employment of our tonnage, which heretofore engaged the labour of a large part of our population, will not be increased; nor its value, which constituted so large a portion of our capital, be enhanced. Though the price of ships in every quarter of the globe has greatly diminished, the excessive reduction of ours must principally be imputed to the practical operation of our treaty with Great Britain; which, while it admits the prohibition on her part of the importation of any article of our own growth, produce or manufacture, in American ships, into her West-India colonies, authorizes the entrance into our ports of British ships with the produce of those colonies. Thus has she become the carrier of all articles which are the growth, produce or manufacture of both countries. May we not be permitted to anticipate, from the friendly relations existing between us, that some amicable arrangement will soon be made, by which our commercial operations with those colonies, shall better conform to those principles of reciprocity, upon which the treaty was intended to be founded.

May no ambitious desire for the extension of our territory, and no exalted opinion of our strength, interrupt our enjoyment of peace, the greatest blessing of Heaven to a nation. And if war with any foreign power should unfortunately befal us, may it appear on our part to be founded on principles which shall render it both just and necessary. "Happy will it be for us, if we learn wisdom from experience: if from the force of circumstances, we are taught the value of circumspection and economy, of industry and moderation."

In the adoption of measures for the public happiness, the House of Representatives tender to your Excellency their most cordial co-operation.

RESOLVES.

NOVEMBER, 1816.

CHAP. LXXV.

Resolve authorizing the Circuit Court of Common Pleas for the Western Circuit, to receive returns of votes for a Register of Deeds, for the County of Worcester. November 18th, 1816.

Resolved, That the Justices of the Circuit Court of Common Pleas for the Western Circuit, at the term of said Court, next to be holden at Worcester, within and for the county of Worcester, on the second Monday of December next, may open and examine the returns of votes from the several towns in said county, for a Register of Deeds, made returnable to said Court; and in case of a choice may declare the same, and proceed in the same manner as if said term were a regular term, for the transaction of session business; and the said returns and proceedings thereon shall be valid; and in case there shall be no choice, the said Justices may then and at each successive term of said Courts of Common Pleas, until a choice is effected, proceed with regard to the election of Register in the same manner as any Courts for the transaction of session business are now by law authorized to do.

CHAP. LXXVI.

Resolve on the Petition of Nathan Noyes.
November 18th, 1816.

Resolved, That the Committee of Accounts be authorized to examine the account of Nathan Noyes, of Newburyport, in the county of Essex, physician, for medical aid, medicine, and attending to State paupers, and to allow the same, or any part thereof, if they think proper, notwithstanding said account is of more than two years standing; any Resolve to the contrary notwithstanding.

CHAP. LXXVII.

Resolve on the Petition of Ephraim Lincoln, authorizing the sale of the Estate of Minor Children of Metapher Chace, Esq. deceased. November 20th, 1816.

On the petition of Ephraim Lincoln, of Leominster, in the county of Worcester, guardian of Abigail and Louisa Chace, of said Leominster, minors and children of Metapher Chace, late of said Leominster, Esquire, deceased, setting forth, that as heirs of said Metapher. they are seized in common and undivided of one seventh part each of the reversion of two acres and fifty-eight rods of land, with a dwelling-house and barn thereon, situate near the meeting-house in said Leominster, bounded, beginning at a heap of stones near the house, and runs west twenty-three degrees north, thirty-one and a half rods by the road, then north thirty-one degrees east, twelve rods, by land improved by Jacob Hall, then east twenty-three degrees south, thirty-one and three fourths of a rod to the road leading to Lunenburg, then south thirty-three degrees west by said road twelve rods to where it began, being part of the land set off to their mother Maria Chace, as her dower in the estate of said Metapher deceased:

Resolved, For reasons set forth in said petition, that the said guardian be, and he is hereby authorized and empowered to sell all the right, title and interest of the said

Abigail and Louisa, in the premises aforesaid, at private sale, to the inhabitants of the town of Leominster, or to such individual or individuals as the said Maria and the other children of said deceased, or their or either of their Assigns, may sell the same to, and upon such terms and conditions as the owners of the other five sevenths of the reversion of said premises, shall agree upon; and good and sufficient deed or deeds of conveyance thereof to make and execute, which deed or deeds, when duly acknowledged and recorded in the registry of deeds for the county of Worcester, shall make a complete and legal title of the right of the said Abigail and Louisa, in the premises to the purchaser or purchasers thereof: *Provided* the said Ephraim Lincoln first give a bond with sufficient sureties, to the Judge of Probate for the said county of Worcester, that the proceeds of such sale, after the payment of the just debts of the said Abigail and Louisa, taxes, and other legal expenses and incidental charges, shall be put on interest on good security, and that the same shall be disposed of agreeable to the rules of law.

CHAP. LXXVIII.

Resolve appropriating $10,000 *for the State Prison.*
November 20th, 1816.

Resolved, That there be allowed and paid out of the public Treasury, for the use of the State Prison the sum of ten thousand dollars, to be drawn from the Treasury by the Warden of said Prison, in such sums as the Directors shall from time to time direct; and his Excellency the Governor, with the advice of Council, is hereby requested to draw his warrant on the Treasurer for said sum accordingly.

CHAP. LXXIX.

Resolve authorizing the Treasurer to sell and transfer Stock to the Boston and Union Banks.
November 20th, 1816.

Whereas by the ninth section of the several acts incor-

porating the President, Directors and Company of the Boston Bank, and the President, Directors and Company of the Union Bank, the said Corporations are each held and obliged, after nine months notice, to purchase of the Commonwealth, it's share of the Capital Stock owned in the said Banks, or any part thereof, at par; *provided*, that not more than one half of said Stock shall be purchased at one time: And whereas, in pursuance of a Resolve passed the fifteenth day of February last, the Treasurer of this Commonwealth did, on the twentieth day of the same month, notify each of those Corporations to purchase the said Stock, according to the terms and conditions specified in their respective acts of incorporation, whereby the payment of one half of said Stock will become due and payable on the twentieth day of November instant:

And whereas the Corporation of the Boston Bank have signified their readiness to purchase the whole of the said Stock, at the same time at par, and make payment in the following manner, viz:

In notes issued by the Treasurer, for monies borrowed of the said Bank, for the use of the Commonwealth, to the amount of	32,000
In Massachusetts six per cent stock, issued to the said Bank, for monies loaned to the Commonwealth, for defence,	183,000
And in six per cent funded stock of the United States, now in the hands of said Bank, being the unredeemed balance of six hundred thousand dollars, originally deposited by the Commonwealth, at par, for the share of the Commonwealth's stock in said Bank,	113,136
And the residue, in money payable in three months, with interest, being	271,864
Making	600,000

And the Corporation of the Union Bank having signified their readiness to comply with the requisition made on them to purchase the one half of the Commonwealth's stock in that Institution, at par, by paying therefor, as follows, viz:

Notes issued by the Treasurer, for monies borrowed of the said Bank, for the use of the Commonwealth, to the amount of	10,000
In Massachusetts six per cent stock, issued to said Bank, for monies borrowed for the use of the Commonwealth, for defence,	148,250
And the balance, in money payable in three months, with interest,	41,750
Making	200,000

Resolved, That the Treasurer of this Commonwealth be, and he hereby is authorized and empowered, to sell and transfer to the President, Directors and Company of the Boston Bank, the whole of the capital stock belonging to the Commonwealth, on the terms and conditions stated in the foregoing preamble; and to sell and transfer to the President, Directors and Company of the Union Bank, one half of the capital stock belonging to the Commonwealth, on the terms and conditions stated in the foregoing preamble.

Resolved, That as soon as the said Boston and Union Banks shall have so purchased the capital stock belonging to the Commonwealth, as aforesaid, the capital stock in those Banks shall be reduced in the same proportion: *Provided, however*, that the said Banks shall each be holden to pay such tax as is, or may be required by law, in proportion to the capital which such Bank may respectively have. *Provided also*, that the Commonwealth shall never at any one time, stand indebted to said Banks without their consent, for a larger sum than twenty per centum of their capital stock, any thing in their acts of incorporation to the contrary, notwithstanding.

CHAP. LXXX.

Resolve on the proceedings of a Parish in Alfred.
November 23d, 1816.

On the petition of John Holmes, in behalf of the Congre-

gational parish, in Alfred, in the county of York, setting forth that the proceedings of said Parish, in the choice of parish officers, and in other respects, were irregular, and praying that they may be made valid:

Resolved, That the proceedings aforesaid be made valid and effectual, to all intents and purposes, said irregularities notwithstanding.

CHAP. LXXXI.

Resolve on the petition of Mary Dolbear and others, in an action with the heirs of Gibbs Atkins, deceased.
November 23d, 1816.

On the petition of Mary Dolbear, in her own right, and as Guardian to Nancy Dolbear, Joseph Dolbear, and Elizabeth Dolbear, minors; Nathaniel Bell, Robert Farnum, and Thomas Edmonds, Guardian to John Farnum, a minor, praying for the assistance of this Commonwealth, in defence of a certain action brought by Elizabeth Gilbert et al. heirs at law of Gibbs Atkins, late of Boston, in the county of Suffolk, deceased, against said Nathaniel Bell, their tenant in possession, to recover possession of a certain messuage or parcel of land situated at the corner of Middle-street and Procter's-lane, in said Boston, which was conveyed by this Commonwealth to Nathaniel Hickman, late of said Boston, deceased; under whom the said petitioners claim as heirs at law, by deeds of warranty:

Resolved, For reasons set forth in said petition, that the Attorney General, or Solicitor General of this Commonwealth be, and they, or either of them, are hereby authorized to appear on behalf of this Commonwealth, and take upon them the defence of said action, brought by said Elizabeth Gilbert et al. against said Nathaniel Bell, as the tenant in possession of said real estate, under the said petitioners; or to prosecute any writ or writs of review in said action, and to examine into the title of Elizabeth Gilbert and others thereto; or to commence and prosecute any suit or action in the name of the Commonwealth, for the benefit of the said Mary, and others, the petitioners herein mentioned, and at

their expense, which shall be necessary to determine the right and title to the premises.

CHAP. LXXXII.

Resolve authorizing Abner Fiske, as Administrator on the Estate of David Fiske, jun. of Holliston, to execute a deed. November 23d, 1816.

On the petition of Abner Fiske, Administrator of the estate of David Fiske, jun. late of Holliston, in the county of Middlesex, deceased, setting forth that the said David Fiske, jun. in his life time did contract with Timothy Fiske, of the same Holliston, physician, to exchange with him certain lands and premises described in said petition, and to pay him the sum of one hundred and five dollars, the estimated difference in the value of said premises, but died before the necessary deeds could be made and executed; and that it would be for the interest of the heirs of said estate and all concerned, to have said contract carried into full and complete effect: Therefore,

Resolved, That the said Abner Fiske, as he is Administrator of the estate of the said David Fiske, jun. deceased, be, and he is hereby authorized and empowered to execute a good and sufficient deed to the said Timothy Fiske of a tract of land lying in said Holliston and bounded as follows, viz. beginning at the south-west corner of the Cow-yard wall, belonging to the heirs of said estate; thence one hundred and twenty feet by said wall, northerly, to a stake and stones; thence westerly by said heirs' land one hundred and eighty-two feet to a stake and stones at Bogestow brook; thence down said brook one hundred and fifteen feet to a stump and stones in the brook; thence easterly on said Timothy's land one hundred and eighty feet as the wall now stands to the bounds first mentioned, containing one half of an acre, be the same more or less, together with the dairy house and sheds, and yard room contiguous south, and bounded, beginning at a stone set up on end at the Cow-yard at the north east corner of the premises; thence southerly, eighty feet to a stone at the town way; thence west-

erly by said way to the brook; thence up said brook to a stone and stump in the brook; thence easterly, southerly and easterly to the bounds first mentioned. And also to pay to the said Timothy Fiske the sum of one hundred and five dollars, from the estate of said deceased: and the Judge of Probate for the county of Middlesex, is hereby authorized to allow said sum to said Administrator in the settlement of his account of administration: *Provided nevertheless,* that previous to the delivery of said deed, and the payment of said sum of money, the said Timothy Fiske shall execute and deliver to Betsey Fiske, Timothy Fiske, Hannah Fiske, Reuben Eames Fiske, and William Fiske, the children and heirs at law of the said David Fiske, jun. deceased, a good and sufficient deed of the following tract of land with the buildings thereon, to wit, bounded, beginning at the south east corner of the house; thence through said house to the north west back door; thence northerly eighty-two feet on land of said heirs to a small pear-tree at the wall; thence sixty-three feet south westerly to a corner in the Cow-yard wall; thence westerly fifty-seven feet in a line with said wall to a stone set up on end in the ground, thence southerly eighty feet to the road leading from Hollis-ton to Sherburne, at a stone set up on end in the ground; thence easterly by said road until it meets the wall on said road at the east end of said house; thence to the bounds first mentioned, containing one fourth of an acre, more or less, together with all the privileges thereto belonging, except the privilege of the well of water on said premises: *Provided* the said Timothy shall set out and convey to Hannah Fiske, the widow of the deceased, her dower in the premises so conveyed by the said Timothy, by such deed or assurance as shall entitle her to hold the same as a good estate for life, having all the incidents and appurtenances of dower on her releasing to the said Timothy her dower, in the premises, conveyed to him by said Administrator.

CHAP. LXXXIII.

Resolve on Petition of Edward Mitchell, jun. authorizing him to sell Indian lands. November 23d, 1816.

On the petition of Edward Mitchell, jun. of Bridgewater,

in the county of Plymouth, Guardian of the Indians in said town, and over all the Indian lands situated therein, praying that he may be authorized to sell by public auction, the land of one Robert Pegin, an Indian, late of said Bridgewater, deceased, for the payment of said Pegin's just debts:

Resolved, That the said Edward Mitchell, jun. Guardian as aforesaid, be, and he hereby is authorized and empowered to sell by public auction, all the real estate lately belonging to Robert Pegin, late of Bridgewater, in the county of Plymouth, Indian man, deceased, and of which he died seized and possessed; and to make and execute good and sufficient deed or deeds thereof to the purchaser or purchasers; and the proceeds thereof to appropriate to the payment of the said Pegin's just debts and funeral charges, so far as may be necessary for these purposes, and the remainder, if any, to hold in trust for the use and benefit of the heirs at law of the said Pegin, or otherwise account for and pay over said remainder or surplus, if any, as the law may at any time require: *Provided* that the said Guardian first give bonds, with sufficient sureties, to the Judge of Probate for said county of Plymouth, to observe the duties enjoined upon him by this resolve, and that he give previous notice of the sale, by posting up notifications thereof in the same manner as Guardians, Executors and Administrators are required by law to do, when authorized by the Judicial Courts to sell real estate, and to take the same oath which they are by law required to take previous to such sale: *And provided also*, that the said Guardian present an account of his doings herein under oath to the said Judge of Probate, within six months after the sale of such real estate, who is hereby authorized to receive, allow and settle the same.

CHAP. LXXXIV.

Resolve granting John Whitcomb a new State note.
November 23d, 1816.

On the petition of John Whitcomb, praying for the renewal of a State note:

Resolved, For reasons set forth in said petition, that the Treasurer of this Commonwealth be, and he is hereby di-

rected, to issue to the said John Whitcomb a new State note of the same tenor and date as the note destroyed; that is, a note, number one hundred and fifty—of date July the sixth, one thousand eight hundred and ten—for ninety-six dollars and seventy cents, and to endorse thereon the interest that has been paid; he, the said Whitcomb, first making affidavit before some Justice of the Peace, to the truth of the facts stated in his petition, and giving bond to the Treasurer of the Commonwealth, in the penal sum of two hundred dollars, with one or more sureties, to secure the Commonwealth against any loss that may happen in consequence of the renewal of said note.

CHAP. LXXXV.

Resolve authorizing the Secretary of the Commonwealth to subscribe for Maps of the United States.
November 23d, 1816.

Resolved, That the Secretary be directed to subscribe for three copies of Samuel Lewis' Map of the United States of North America, for the use of the Governor and Council, and the two Branches of the Legislature of this Commonwealth; and for two copies of Shelton and Kensett's Map of the United States, one for the use of the Adjutant General's office, and the other for the use of the Quarter Master General's office of this Commonwealth.

CHAP. LXXXVI.

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

The quantity of ordnance, small arms, accoutrements and camp equipage in possession of the Quarter Master General, requiring much larger buildings than belong to the Commonwealth, the Legislature have passed, at sundry times, resolves making appropriations for erecting a competent number of arsenals for their accommodation: that the Legislature may be fully acquainted with the state of that business, I have instructed the Secretary to lay before

you a report of a committee of Council, to whom the subjects of those resolves have been referred, together with a communication touching the same, recently made to me by the Quarter Master General.

JOHN BROOKS.

Council Chamber, Nov. 23*d*, 1816.

CHAP. LXXXVII.

Resolve on the petition of the Executors of the Will of Mungo Mackay, authorizing the sale of Real Estate.
November 25th, 1816.

Upon the petition of Ruth Mackay, John Mackay, and Samuel Parkman, the Executors of the last will and testament of Mungo Mackay, late of Boston, in the county of Suffolk, merchant, deceased, testate, stating that the said testator, in and by his last will and testament, did order and direct, that after paying his just debts, and legacies, and the proportion of his estate left at his decease given to his children, and to his wife during her natural life; the residue of his estate, both real and personal, be sold or divided between his sons and daughters, and his grand daughter, Sally Mackay Hunt, as in his said will is set forth; and also stating, that said residue of said testator's real estate consists of two dwelling houses, one of them situated in Hancock-street, in said Boston, and the other is situated in Cambridge-street, in said Boston, and are incapable of any division in manner as mentioned in said will; and praying for authority to sell and convey the said residue of said real estate, according to the intention of said testator:

Resolved, That the prayer of said petition be, and it is hereby granted; and the said Executors, or either of them, are hereby authorized and empowered to make sale of said residue of said real estate, consisting of two dwelling houses, one of which is situated in said Hancock-street, and the other is situated in Cambridge-street, in said Boston, with the land under, and adjoining the same, being part of the real estate of said testator, either at public or private sale, as the said Executors, or either of them shall judge most beneficial; first, however, receiving the written approbation of the Judge of Probate for the county of Suffolk, and to be

recorded in the Probate Office; and giving bonds, with sureties to the said Judge, to his satisfaction, conditioned to appropriate the proceeds of the sale of said estates according to law, and the directions in said will expressed: and said Executors, or either of them are hereby authorised to make, execute and deliver to any purchaser or purchasers as good sufficient deed or deeds of conveyance therefor, as the said testator would have done, if living.

CHAP. LXXXVIII.

Resolve directing the Quarter Master General to cause to be marked all small arms, which do, or may belong to the State. November 25th, 1816.

Resolved, That the Quarter Master General be, and he is hereby authorized and directed to cause an appropriate mark to be affixed to all the arms now belonging to the Commonwealth, or that may hereafter be received in his department as such.

CHAP. LXXXIX.

Resolve on the petition of Jeduthan Wellington, directing the Solicitor General to ascertain the fee of certain land in West Cambridge. November 26th, 1816.

Resolved, That the Solicitor General be directed to examine and inquire, whether the fee of the land, mentioned in the petition of Jeduthan Wellington and others, lying in West Cambridge, is now vested in this Commonwealth; and that he report a state of facts in relation to the same, to the next Legislature, on the first week of the first session thereof.

CHAP. XC.

Resolve on the petition of George Robb, permitting him to transport certain pickled fish to New-Orleans, without inspection. November 26th, 1816.

On the petition of George Robb, lately of Leith, in the

county of Edinburgh, in Scotland, merchant, stating that he has shipped from Halifax in the Province of Nova Scotia, one hundred and thirty-two barrels of pickled Fish, and landed the same in Boston, in the United States, with a design to carry them to New-Orleans, in the United States, the place of his intended future residence, and praying that he may be authorized and allowed to ship the same on board some vessel bound to New Orleans aforesaid, without inspection, according to the laws of this Commonwealth, regulating the inspection of pickled fish: Therefore

Resolved, For reasons set forth in said petition, that the said George Robb be, and he hereby is authorized and allowed to ship the said barrels of fish on board any vessel bound to said New Orleans, and transport the same thither, without inspection, according to the laws of this Commonwealth; and the Inspector General of this Commonwealth is hereby directed to grant a certificate that the said barrels of fish are not liable to inspection.

CHAP. XCI.

Resolve confirming the Records and Assessments of the first parish in Pownal. November 26th, 1816.

On the petition of Edward Tompson, Josiah Lovell, and Benjamin Soule, a Committee in behalf of the First Congregational Parish in the town of Pownal, in the county of Cumberland, praying that the records and assessments of said parish may be confirmed and rendered valid in law:

Resolved, For reasons set forth in said petition, that the records and assessments of the said first parish shall be confirmed, and made valid in law, notwithstanding the omission, or neglect of the Officers thereof, in not taking the official oaths required by law in like cases.

CHAP. XCII.

Resolve making valid the doings of the town of Lisbon. November 26th, 1816.

On the petition of the Selectmen of the town of Lisbon,

in the county of Lincoln, praying that a resolve may be passed, confirming the doings of said town, in certain particulars set forth in said petition: Therefore

Resolved, That the doings of said town of Lisbon, in having their warrants for calling town meetings, posted up by their Selectmen, and in not recording their warrants, and in having them improperly signed, shall not hereafter make invalid or illegal any of the doings of said town; but the doings of said town in the same are hereby confirmed and made valid in law; any of the irregularities aforesaid notwithstanding.

CHAP. XCIII.

Resolve authorizing the Solicitor General to quit claim the Commonwealth's right and title to Joseph Stone's estate, in Harvard. November 26th, 1816.

On the petition of the Solicitor General of this Commonwealth, requesting direction respecting a compromise with the mortgagees of the estate of Joseph Stone, of Harvard, in the county of Worcester:

Resolved, For reasons contained in said representation, that the Solicitor General be, and he hereby is authorized to quit claim to the mortgagees aforesaid, all the right, title and interest the Commonwealth has to the farm and buildings of the said Joseph Stone, lying in Harvard, on which has been extended two warrants of distress in favor of this Commonwealth; *provided* the mortgagees aforesaid pay into the Treasury of this Commonwealth, the sum of one thousand dollars, the amount of the original judgments recovered.

CHAP. XCIV.

Resolve granting to the Solicitor General $180, *for expenses and services in survey of land in Hiram.* November 27th, 1816.

On the petition of Daniel Davis, Esq. Solicitor General, praying a grant of a sum of money sufficient to defray the

expenses already accrued, and accruing, in the survey of the Commonwealth's land in the town of Hiram, and prosecuting two inquests of office in relation to the same:

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to the said Solicitor General, the sum of one hundred and eighty dollars for the expenses of said survey, payment of witnesses, and other expenditures, and his own services in the prosecution of said suits: The said Solicitor to account with the Treasurer of this Commonwealth for the said sum, upon a termination of the suits aforesaid.

CHAP. XCV.

Resolve on the petition of Ibrook Eddy, authorizing the Circuit Court of Common Pleas of the Third Eastern Circuit, or Supreme Judicial Court, to determine as to the right of the Commonwealth to lot No. 1, first division of lands in Eddington. December 2d, 1816.

On the petition of Ibrook Eddy, Administrator on the estate of the late Jonathan Eddy, deceased, praying that an inquest of office may be instituted, to determine and settle the title to lot numbered one, in the first division of lands lying in Eddington, in the county of Penobscot, a deed of which was executed in behalf of the Commonwealth, by William Smith, Esquire, late Agent for the sale of eastern lands, to the heirs of one Robert Mann, deceased, and for a part of which lot an action is now pending, brought by one Mary Nichols, who claims under the said deed, against one Henry Call, which deed the said Ibrook Eddy alleges to have been improvidently issued, and the Commonwealth deceived in its grant:

Resolved, That the Circuit Court of Common Pleas for the Third Eastern Circuit, in which the said action is now pending, or the Supreme Judicial Court, if the said action should be there carried by appeal or otherwise, be, and the said Courts respectively, hereby are authorized, with the consent of the demandant in the said action, to hear, decide and determine in the same, as to the right, title and interest of the Commonwealth in and to the said lot, (as well as of the parties in the said action,) in like manner and upon the

same principles as though an inquest of office or other process in behalf of the Commonwealth, had been instituted, and were pending for the determination of the title to the said lot. But if the demandant do not consent, as abovementioned, then the Attorney General, or Solicitor General, is hereby directed to institute an inquest of office, or such process as he may think proper, to revest the Commonwealth in its title to the said lot: *Provided, however,* that the said Ibrook Eddy shall give a bond with sureties, to the acceptance of the Attorney General, or Solicitor General, conditioned to pay all the costs, expenses and charges, which may be incurred or sustained by the Commonwealth, by reason of the institution and prosecution of such inquest or process.

CHAP. XCVI.

Resolve on the subject of Compensation to the Members of Congress, agreeable to a late law. December 2d, 1816.

Resolved, As the sense of this Legislature, that the act of Congress which passed the nineteenth day of March last, changing the mode and greatly increasing the compensation of the Members of that honorable body, is an innovation upon the custom, and not congenial with the republican principles of our government.

Therefore, be it further resolved, That the Senators and Representatives of this Commonwealth in Congress, be and they are hereby requested to use their influence to effect the repeal of the act aforesaid: And that his Excellency the Governor be requested to transmit to each of the Senators and Representatives of this Commonwealth in the Congress of the United States, an attested copy of the foregoing resolution.

CHAP. XCVII.

Resolve granting to the Executrix of the last will of Peleg Coffin, Esquire, deceased, $150. December 2d, 1816.

On the petition of George W. Coffin, Attorney to the Executrix of the last will and testament of Peleg Coffin, pray-

ing for compensation for services rendered the Commonwealth by the late Peleg Coffin, Esquire, in selecting the private and special acts of said Commonwealth, and contracting for the printing of three volumes, pursuant to a resolve passed the 9th of February, 1803:

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to Eunice Coffin, Executrix of the last will and testament of Peleg Coffin, Esquire, the sum of one hundred and fifty dollars, in full consideration for his services performed, as one of the Committee under said resolve of the 9th of February, 1803.

CHAP. XCVIII.

Governor's Message. December 3d, 1816.

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

Major-General John Blake, of the tenth division of the militia of this Commonwealth, having resigned the command of that division, has been discharged, agreeably to his request.

J. BROOKS.

Council Chamber, Dec. 3d, 1816.

CHAP. XCIX.

Resolve requesting the Governor to appoint Agents to present the claims of this Commonwealth against the United States, for expenditures during the late war. December 3d, 1816.

Whereas by a resolve passed the first day of February, in the year of our Lord one thousand eight hundred and sixteen, the Governor, with the advice of the Council, was authorized to employ any person or persons he might think proper, to present, at such time as he might deem expedient,

the claims of this Commonwealth against the United States, for military services rendered, and supplies furnished, and expenses incurred, during the late war with Great-Britain, to such authority as might be appointed to receive, examine and allow the same—But no such appointment by the government of the United States has yet been made:

Resolved, That his Excellency the Governor be, and hereby is authorized, and requested, with the advice of Council, to appoint one or more Agents, as he may think proper, to present the aforesaid claims and all accounts connected therewith, either to the Congress of the United States, or to any department of the government, as may be found expedient, and to present any petition, or make such application as may be thought proper, in behalf of this Commonwealth, to the government of the United States, to the end that legal provision may be made for the adjustment of said claims, and for the payment of the balance due thereon to the Commonwealth. And such person or persons as may be appointed Agent or Agents as aforesaid, are hereby fully authorized to act in behalf of the Commonwealth in all matters relative to said claim that may be found necessary and proper for the accomplishment of the object.

Be it further resolved, That it shall be the duty of the person or persons so appointed, to repair to the seat of government of the United States, with said claims and documents, during the ensuing session of Congress, and use their best endeavors to effect the object of their appointment.

Be it further resolved, That the Senators of this Commonwealth in Congress be instructed, and the Representatives requested, to afford to the person or persons appointed in virtue of these resolves, all the aid in their power for the accomplishment of the object of their appointment, and endeavor to procure all necessary provision for this purpose to be made by law.

Be it further resolved, That there be paid out of the Treasury of this Commonwealth, to the Agent or Agents appointed as aforesaid, such sum as his Excellency the Governor shall think necessary; such Agent or Agents to be accountable for the same: And his Excellency the Governor is requested to draw his warrant on the Treasury for the same.

CHAP. C.

Resolve granting John Jackson compensation for expenses incurred during sickness brought on him while on military duty. December 2d, 1816.

On the petition of John Jackson, praying remuneration for time lost and expenses incurred, in consequence of having been taken sick while doing military duty for the defence of the Commonwealth, in the county of Lincoln, in the autumn of 1814:

Resolved, That there be allowed and paid out of the Treasury of the Commonwealth, unto John Jackson, the sum of seventy-five dollars in full for all the considerations mentioned in said Jackson's petition.

CHAP. CI.

Resolve on the petition of the Selectmen of Blandford. December 2d, 1816.

On the petition of the Selectmen of Blandford, in the county of Hampden, setting forth that they have furnished rations, and a baggage waggon, for a number of men detached for the defence of the seacoast, agreeably to general orders of the thirteenth of September, eighteen hundred and fourteen, for which they have received no allowance:

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the Selectmen of Blandford, for the use of said town, the sum of fifty-three dollars and seventy cents in full of their account.

Resolved, That the Secretary of the Commonwealth be, and hereby is directed to file in his office, the sum allowed to the Selectmen of Blandford, with the claims of this Commonwealth against the United States.

CHAP. CII.

Resolve granting Joseph H. Peirce $75, for services in the War Office. December 3d, 1816.

On the petition of Joseph H. Peirce,

Resolved, That the sum of seventy-five dollars be allowed and paid to Joseph H. Peirce, in full for his services in the office of the late Board of War; and his Excellency the Governor, with the advice of Council, is hereby requested to draw his warrant on the Treasurer accordingly.

CHAP. CIII.

Resolve granting the President and Trustees of Williams' College further time to locate a township of land. December 3d, 1816.

On the petition of the President and Trustees of Williams' College, praying further time to locate a township of land granted to them by a resolve dated February 20th, 1809:

Resolved, That for reasons set forth in said petition, further time of three years from this date, be allowed to the President and Trustees of Williams' College, to locate said township of land; and the Agents for the sale of Eastern lands are hereby directed to govern themselves accordingly, any thing in said resolve to the contrary notwithstanding.

CHAP. CIV.

Resolve on the petition of Edward Clark, Jun. discharging him from prison. December 3d, 1816.

Resolved, For reasons set forth in said petition, that the said Edward Clark, Jun. be, and he hereby is discharged and fully released from a judgment recovered by the Commonwealth of Massachusetts against him, by the consideration of the Justices of the Supreme Judicial Court, holden at Worcester, within and for the county of Worcester, on the second Tuesday of April last; on which judgment execution issued, and said Clark, by virtue thereof, was imprisoned in the gaol in said county of Worcester, and still remains a prisoner.—And the Sheriff of the county of Worcester is hereby authorized and directed to discharge said Clark from his said imprisonment; *provided* he is not committed for any other cause: *Provided however*, that he first pay the expense of his board while confined in said prison.

CHAP. CV.

Resolve on the petition of Lois Haskell.
December 3d, 1816.

On the petition of Lois Haskell, of New Gloucester, widow, praying an allowance, in consequence of the sickness and death of her late husband, Ebenezer Haskell, which took place in the month of October, 1814, while he was detached as a soldier in the defence of the Commonwealth:

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, unto Lois Haskell, widow of the late Eben. Haskell, the sum of fifty dollars, in full of all the considerations mentioned in said petition.

CHAP. CVI.

Resolve granting Noah Lord, Jun. Twenty-five Dollars.
December 3, 1816.

On the petition of Noah Lord, Jun. of Lebanon, praying an allowance for having been wounded by the accidental discharge of a musket, while doing military duty on the first Tuesday of May last:

Resolved, That there allowed and paid out of the Treasury of this Commonwealth, unto Noah Lord, Jun. the sum of twenty-five dollars, in full for all the considerations mentioned in said petition.

CHAP. CVII.

Resolve discharging Samuel Waite, a prisoner in Worcester Gaol. December 3d, 1816.

On the petition of Samuel Waite, a prisoner in the Gaol in Worcester, in the county of Worcester, praying that he, the said Samuel Waite, may be discharged from a judgment of the Supreme Judicial Court, upon which he is detained in said prison:

Resolved, For reasons set forth in said petition, that the said Samuel Waite be discharged from said prison, and that the fine and prosecution against him be remitted;

and that the keeper of said gaol be authorized to suffer him to go at large, immediately on his paying the expense of his board while confined in said prison: *Provided* the said Waite be not detained there for any other cause.

CHAP. CVIII.

Resolve making valid the doings of the town of Exeter. December 4th, 1816.

On the petition of the Selectmen of Exeter, in the county of Penobscot, representing that, for sometime past, the Constables who have warned town meetings, have made insufficient returns of their doings; that the town records kept by the Clerk of said town, are consequently incomplete; that some town officers thereof having taken the requisite oaths before Justices of the Peace, no record has been made by the town Clerk, of such oaths having been administered to them, and that the town records of said Exeter, are defective in some other particulars, as to the time when town officers were sworn: Therefore

Resolved, For reasons set forth in said petition, that the records of the said town of Exeter be deemed and taken to be as valid to all intents and purposes, as if the said town officers had proceeded according to the laws regulating their proceedings in these particulars; and the said records and the doings of said town officers, are hereby confirmed, legalized, and in all respects made effectual, the aforementioned defects therein notwithstanding.

CHAP. CIX.

Resolve making compensation to the Electors of President and Vice President. December 4th, 1816.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the Electors of President and Vice President of the United States, who shall attend for the purpose of giving in their votes, the same compensation as is now allowed to members of the Legislature of this Commonwealth for travel and attendance: And his Excellency the Governor, with advice and consent of the Council, is requested to draw his warrant accordingly.

CHAP. CX.

Resolve on the petition of Horace Cook, authorizing the Administrator on the estate of Joseph Winter to make and execute a deed. December 4th, 1816.

On the petition of Horace Cook, of Granby, in the county of Hampshire, praying that Alpheus Winter, Administrator of the estate of Joseph Winter, late of Belchertown, in said county, deceased, may be authorized to make and execute a deed to the said Horace, of a certain tract of land situated in said Belchertown, containing about fourteen acres, bounded easterly on land of Timothy Pearl, southerly on land of Oshea Walker, and northerly on land of Jonathan Dwight; which the said Horace purchased of the said Joseph, and paid to him the purchase money in his life time, but no deed thereof was made:

Resolved, For reasons set forth in said petition, that the said Alpheus Winter, in his said capacity, be, and he hereby is authorized and empowered to make and execute to the said Horace Cook, (conveying to him in fee) a deed of the aforedescribed premises—and such deed so made shall have the same operation and effect in law, as if the same had been made by the said Joseph in his life time, pursuant to his contract with the said Horace Cook, respecting the premises.

CHAP. CXI.

Resolve respecting Separation of Maine.
December 4th, 1816.

The Committee of both Houses, to whom were referred the Memorials and Documents presented to the Legislature, concerning the Separation of Maine, respectfully Report,

That by an act passed at the last session of this Legislature, concerning the Separation of the District of Maine, it was, among other things, provided, that the inhabitants of the towns, districts, and plantations in the District of Maine, qualified to vote for Senators, should in open town meeting, summoned for the purpose, give in their

written votes on the question—"Is it expedient that the District of Maine shall be separated from Massachusetts, and become an Independent State, upon the terms and conditions provided" in said act? And the votes thus taken, were to be sealed up, and transmitted in manner provided by said act, to a Convention, which was also instituted by said act; and if it appeared to said Convention, "That a majority of five to four at least, of the votes returned, are in favor of said District's becoming an Independent State aforesaid, *then, and not otherwise,* said Convention shall proceed to form a Constitution, as is provided in this act." Pursuant to this act, a Convention was formed and duly organized at Brunswick, in said District, on the last Monday of September last, and the following days; and a Committee appointed to examine the returns of votes, reported, that "The whole number of votes which the Committee thought proper to admit, (dispensing with some want of formalities in many of the returns,) was 22,316

"Those in favor of Separation, were 11,969

"Those opposed, were 10,347

"The whole aggregate majority of yeas, in the towns and plantations in favor was 6,031

"The whole aggregate majority of nays in the towns and plantations opposed, was 4,409

"Then as five is to four, so is 6031 to 4,825, the nays required. But the majority of nays is 4,409 only. Hence it appears, upon this construction of the act, there is a majority of five to four at least, of the votes returned, in favor of said District's becoming an Independent State."

This report and construction were in substance accepted, and adopted by the Convention, as appears by their journal, of which attested copies are before the Legislature; and they, thereupon, proceeded to pass divers resolutions, among others, one appointing a Committee to frame a Constitution, and another to apply to Congress for admission into the Union. The powers of these Committees are suspended only, until the result of an application to this Legislature, to confirm their doings, shall be known; and in order to ascertain this, the Convention stands adjourned to the third Tuesday of December next.

Upon this statement, the Committee have no hesitation in expressing their full conviction, that the Convention have misconstrued the act by which their powers were defined:

That the word "majority," refers to the majority of votes returned, and not to the aggregate of local and municipal majorities: That this is a self-evident position, resulting from a perusal of the act, and not susceptible of illustration or contravention by any argument: That, of consequence, contingency, provided by the act as prerequisite to the formation of a Constitution, and as a condition of the consent of this Legislature, to the Separation of Maine, has not occurred; and that the powers of said Convention are at an end.

It is not less evident to the minds of your Committee, that this Legislature is not competent to enlarge, vary, or revive the powers of the Delegates to that Convention: These powers, though *defined* and *prescribed* by the Legislature, were vested *in* each Delegate, by his own immediate constituents. He was chosen to execute a special power, and in a certain event. To vary his authority, or provide for his acting upon another and different contingency, would be to render him the representative of this Legislature, and not of the people. Such an act would be repugnant to the elementary principles of a government by representation, and merely void.

Having disposed of this inquiry, your Committee have in the next place directed their attention to the several Memorials presented by the Deputies from the Brunswick Convention, and by a number of Senators and Representatives of the District of Maine. The object of these Memorials is either to obtain the consent of this Legislature to a Separation, upon the present majority, or to such further provisions as may be expedient for consummating that event. With respect to the first of these objects, a Separation on the present majority, it is respectfully suggested, that while the result of the votes returned to the Convention affords presumptive evidence of a disposition in a majority of those voters favorable to a Separation, without reference to the prescribed ratio; yet this inference is by by no means conclusive.—Those who voted in the affirmative on the question as stated in the town meetings, acted under an impression that unless those on the same side should amount to five ninths of the whole number, their votes would be ineffectual for the object of Separation. It is impossible to determine to what extent or in what number these voters may have been influenced by their reliance on this ratio as an indispensable preliminary to further measures. Probably in the estimation

of the greater number, possibly of all; it was a subordinate and insignificant consideration. But it may have been otherwise. It would then be a measure pregnant with hazard, to adopt as proof of the public opinion in Maine, in this important concern, a standard liable to error, when certainty is attainable. There could be no reparation for the consequence of mistake; no relief from the misfortune. The cord once broken could not be re-united; and the people of Maine might thus be transferred to a new government, under a misapprehension of their will, and against their consent.

There remained, therefore, to be considered by your Committee, the expediency merely of adopting some new measures to facilitate the expression of the sense of the people of Maine upon the great question.

In arriving at a result upon this point satisfactory to themselves, the Committee have excluded all considerations affecting the property or necessity of the Separation, viewed as an abstract or original proposition. They apprehend this question to be at rest with the present General Court. After consenting to relinquish the jurisdiction over Maine, upon terms satisfactory to Massachusetts Proper, her Senators and Representatives can feel on her account, no interest in the degree of unanimity with which it may be effected, and no desire to procrastinate the event from selfish considerations.

The Committee, therefore, have anxiously and deliberately endeavored to discern the course which it is incumbent on this Legislature to pursue, through respect to its own dignity and consistency, and to the claims of justice and equity from the respective parties in the District of Maine, coming before them as a tribunal which has once decided their cause.

It is then submitted as a fact familiar to recollection, that although the ratio of five ninths was not recommended by this Committee in the former report, which they had the honor to make, yet that principle was engrafted upon the act with the full approbation and consent of the advocates for Separation. It was at that time foreseen and alledged by them, that a majority of voters would indubitably be found in favor of the measure, but they were content to wave their pretensions to enforce it upon this foundation, and to abide by the issue of an experiment to be made up-

on a ratio which seemed to be little more than a necessary mean of ascertaining the fair and deliberate sense of an undoubted majority *de facto*, though nominally aiming at something more: While these proceedings on the part of those at whose request the act was passed, do not amount to a formal agreement, always to acquiesce in the correctness of this ratio, or to be perpetually concluded by the result; yet as there was a fair and equitable understanding between the parties with respect to the basis on which the experiment should be tried, and which had the sanction of this Legislature, it would be not easy to justify, at one session, a wide departure from principles established at another, without the pressure of some great emergency, or at least without some important variation of facts and circumstances, not anticipated, which should urgently demand a prompt and repeated interposition.

The Committee pretend to no accurate knowledge or information respecting the progress of opinion in the District, either for or against the measure. A comparison between the current of votes in May and September does not warrant the belief that the tide in favor of it has been greatly if at all augmented. Should the fact be otherwise, it will be displayed, and the people of the District will be in no danger of being baffled in the pursuit. Massachusetts will be anxious for no union which does not spring from mutual affection and a sense of common interest. But in the ordinary course of legislation, questions involving merely the division of a parish or a town, are rarely agitated more than once in the same political year. Should then the same Legislature which has once, and so lately adjusted the principles, and with great deliberation fixed the terms and conditions which appertain to the dismemberment of the State, revise the fundamental provisions of its act without any new occasion, they might be considered as betraying an undue solicitude to accelerate the partition, and as regardless of the feelings and interest of a large and respectable class of their fellow-citizens.

It is a source of great satisfaction to your Committee to reflect, that their views, if adopted, cannot prove detrimental to any party. If, at this moment, provision should be made for instituting a new Convention, nothing short of great precipitancy, not required by the occasion, and hostile to all hopes of wise and temperate counsels, would en-

able the people of Maine to become a State, with the consent of Congress, during the present session. The interval between this period and the next political year, will not have been lost. The public attention has been roused and attracted to the great question; arguments on both sides will have become familiar; truth will be separated from fallacy; men's judgments will be cleared, and their passions calmed; and both parties, being satisfied that no prejudice can arise from delay, will wait the event of things with that mutual forbearance which becomes those who are in any event destined to remain fellow-citizens.

Your Committee, therefore, recommend the following Resolves, which are respectfully submitted.

Per order,

H. G. OTIS, *Chairman.*

Resolved, That the contingency upon which the consent of Massachusetts was to be given for the Separation of the District of Maine has not happened; and that the powers of the Brunswick Convention to take any measures tending to that event, have ceased.

Resolved, That it is not expedient for the present General Court to adopt any further measures in regard to the Separation of the District of Maine.

CHAP. CXII.

Resolve discharging Samuel H. Wheeler, as one of Treasurer Skinner's bondsmen. December 5th, 1816.

Whereas the name of Samuel H. Wheeler, one of the sureties of the late Treasurer, Thompson J. Skinner, was accidentally omitted in the Resolve of the 13th June last: Therefore

Resolved, That Samuel H. Wheeler, one of the sureties of the late Treasurer, Thompson J. Skinner, be, and he is hereby released and discharged from all debts, obligations, judgments, executions, warrants of distress, and demands due or payable from him to said Commonwealth, for, or on account of said Skinner: *Provided nevertheless*, that nothing contained in this resolve shall prevent the Commonwealth from satisfying their judgment against said Wheeler,

out of any property heretofore conveyed, or secreted by him, for the purpose of defrauding the Commonwealth of said judgment.

CHAP. CXIII.

Resolve on the petition of Joseph Nixon, discharging him from an execution, after a confinement of five years.
December 5th, 1816.

Upon the petition of Joseph Nixon, of Waltham, in the county of Middlesex, stating that he has been confined in gaol in Cambridge, in said county, for five years last past, upon an execution in favor of John Henry, of Montreal, in Lower Canada, for seventy-nine dollars, with nine dollars and eight cents costs; and that he has an unsatisfied execution against said Henry, subsequently obtained, for one hundred and thirteen dollars and thirty cents, and thirteen dollars and fifty cents costs:

Resolved, For reasons set forth in said petition, that the said Joseph Nixon be discharged from the operation of the execution of the above named John Henry, by making an offset of said execution, against the amount of the execution which the said Nixon holds against the said Henry:—And that the Sheriff of the county of Middlesex be authorized and empowered to discharge said Nixon from confinement upon said execution, and to endorse the amount upon the execution of the said Nixon against the said Henry.

CHAP. CXIV.

Resolve granting $500 *for repairing the house of public worship, for the use of the Indians at Marshpee.*
December 5th, 1816.

On the petition of the Marshpee Indians,

Resolved, That for reasons set forth in said petition, there be granted and paid out of the Treasury of this Commonwealth, five hundred dollars, for the purpose of repairing the house of public worship on the plantation of Marshpee, and that the Governor, with the advice and consent of

the Council, appoint two Commissioners to superintend said repairs, who shall account to them for all proceedings and expenditures.

CHAP. CXV.

Resolve granting Taxes to the counties of Worcester, Hampden, Franklin, and Middlesex.
December 5th, 1816.

Whereas the Treasurers of the following counties have laid their accounts before the Legislature, which accounts have been examined and allowed; and whereas the Clerks of the Courts of Sessions for said counties have exhibited estimates made by the said courts, of the necessary charges which may arise within the several counties for the year ensuing, and of the sums necessary to discharge the debts of the said counties:

Resolved, That the sums annexed to the several counties contained in the following schedule be, and the same are hereby granted as a tax for each county, respectively, to be apportioned, assessed, paid, collected, and applied for the purposes aforesaid, according to law.

County of Worcester, four thousand five hundred dollars,	4,500 00
County of Hampden, three thousand five hundred dollars,	3,500 00
County of Franklin, three thousand two hundred dollars,	3,200 00
County of Middlesex, thirteen thousand nine hundred and seventy-three dollars and forty-six cents,	13,973 46

CHAP. CXVI.

Resolve extending the time for the performance of settlement duties, on lands in the District of Maine.
December 6th, 1816.

The Committee of both Houses, who had under considera-

tion the petition of Aaron Dexter and Ebenezer Preble, and who were further instructed to consider the expediency of some general provision upon the subject of settling duties, ask leave to report,

That various grants of land have been made by this Commonwealth to sundry literary and charitable institutions, and to individuals, upon condition to place upon the lands a certain number of settlers within limited periods: That the circumstances of the country and of the District of Maine have been such as to present great and insuperable obstacles to the performance of these settling duties: It must be obvious that the continuance of commercial restrictions, and the war which thereupon followed, were extremely unfavorable to the performance of those duties, and must in most instances have rendered it impossible to perform them.

The embarrassments and dangers to which the people of the District of Maine were exposed during these troubles, operated not only to deter settlers from coming into it, but to induce great numbers to emigrate from it; and this disposition to emigrate from it has been increased by the policy of other states, and the allurements of soil and climate which have been held out to adventurers.

The Committee presume that the object of the Legislature has always been to promote the settlement of the lands, by holding the purchasers and grantees to make every reasonable exertion for that purpose; and not to exact from them penalties for the non-performance of conditions, a compliance with which, without their fault, may have become impossible; and that it will be no more than equitable to allow them a further time which shall be equal, at least, to the period during which the obstacles to the performance of the condition of their bonds have continued to exist. They therefore report the following resolve, which is respectfully submitted by

MARK LANGDON HILL,
Per Order.

Resolved, That the time limited for the performance of settling duties on land sold or granted by this Commonwealth, shall be extended in favour of the grantees of such lands, and their assigns, for the term of five years from the first day of June next.

CHAP. CXVII.

Resolve on the petition of David Moore, authorizing him to execute a deed. December 6th, 1816.

Resolved, For reasons set forth in said petition, that David Moore, of Salem, Administrator on the estate of John Pratt, late of Salem, trader, deceased, intestate, be, and he hereby is authorized and empowered to make and execute a good and sufficient deed of a certain dwelling house and piece of land in said Salem, bounded westerly on Peirce's land, eight poles and thirteen links; southerly on said Pratt's land, one pole and eleven links; easterly on said Pratt's land, eight poles and thirteen links; and northerly on land of the heirs of Nathaniel Brookhouse, one pole and twelve links, to James Harvey, of said Salem, who has paid the consideration due for the same, agreeably to a written agreement made between said Harvey and said Pratt in his life time; and such deed, duly acknowledged and recorded, shall give as good a title to the said estate, to all intents and purposes, as if the same had been duly executed by said Pratt in his life time.

CHAP. CXVIII.

Resolve on the petition of Joseph Russell, administrator de bonis non, of the estate of John Wright, deceased. December 6th, 1816.

Resolved, For reasons set forth in said petition, that the said Administrator be authorized to make his affidavit relative to the sale of the real estate of said deceased, and to file the same in the office of the Court of Probate, within and for the county of Middlesex, at any time within four months after the passing of this resolve; and that the same affidavit, so made and filed, shall be taken and held as good and valid in law, to all intents and purposes, as if the same had been made and filed in the same Probate Court within seven months from the time of the said sale, any law to the contrary notwithstanding.

CHAP. CXIX.

Resolve on the petition of Micah M. Rutter, making valid his affidavit as administrator on the estate of Thomas Rutter, deceased. December 6th, 1816.

On the petition of Micah M. Rutter, Administrator of the estate of Thomas Rutter, late of East Sudbury:

Resolved, That the affidavit of the said Micah M. Rutter, Administrator aforesaid, filed and recorded in the Probate Office, in the county of Middlesex, on the thirteenth day of November, eighteen hundred and sixteen, be, and the same hereby is rendered as valid in law, as if the same had been executed and filed within seven months from the time of his appointment as Administrator aforesaid, any law to the contrary notwithstanding.

CHAP. CXX.

Resolve granting a tax to the county of Berkshire. December 6th, 1816.

Whereas the Clerk of the Court of Sessions for the county of Berkshire, has exhibited an estimate, made by said court, of the necessary charges which may arise within said county for the year ensuing, and of the sums necessary to discharge the debts of the said county:

Resolved, That the sum of six thousand dollars is hereby granted as a tax for said county of Berkshire, to be apportioned, assessed, paid, collected and applied for the purposes aforesaid, according to law.

And be it further resolved, That the Treasurer of said county be, and he hereby is required and directed to present his account for the present year, to the General Court, at their next session.

CHAP. CXXI.

Resolve granting to Samuel Haley and his heirs, the northerly island of the Isle of Shoals, or Hog Island. December 7th, 1816.

On the petition of Samuel Haley, of the Isle of Shoals, praying for a grant of one of said islands, called Hog Island:

Resolved, That there be, and hereby is granted to the said Samuel Haley, and his heirs, the northerly island of said Isle of Shoals, commonly called Hog Island; to be holden in fee simple by the said Haley and his heirs, free from any claim of the Commonwealth to the same: *Provided*, that the said Haley, his heirs or assigns shall, within four years after the passing of this resolve, erect a sufficient sea wall around the dock where the said Haley now lives; and shall, at all times hereafter, keep the same in repair for the accommodation of open fishing boats belonging to the citizens of this Commonwealth, free from expense of dockage: And if the said Haley, or his heirs or assigns, shall neglect to keep in sufficient repair the said dock for the space of two years at one time, then said island, so granted as aforesaid, and the title to the same, shall revert to said Commonwealth, on such neglect being ascertained, by process in the Supreme Judicial Court.

CHAP. CXXII.

Resolve on the petition of James M'Lellan, in behalf of Luke Lambert, jun. December 7th, 1816.

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the public Treasury of this Commonwealth, to Luke Lambert, jun. thirty-two dollars for the use of his house, while occupied by the General Court Martial, on the trial of Lieutenant-Colonel Andrew Reed.

CHAP. CXXIII.

Resolve empowering the Treasurer to sell United States Treasury Notes. December 7th, 1816.

Resolved, That the Treasurer of this Commonwealth be, and he hereby is authorized and empowered to sell twenty-eight thousand five hundred dollars of Treasury Notes of the United States, which are now in his office, and which were received for interest and reimbursement of principal on the debt due from the United States to this State, for the quarters ending the 31st December, 1814, and 31st March, 1815, pursuant to a resolve of the 20th of June last, for the highest price he can obtain therefor, and apply the proceeds thereof to the payment of the ordinary demands of the government, any thing in said resolve to the contrary notwithstanding.

CHAP. CXXIV.

Resolve directing the Treasurer to notify the President, Directors and Company of the Union Bank, that they purchase the stock of the Commonwealth therein. December 7th, 1816.

Resolved, That the Treasurer of this Commonwealth be, and he hereby is authorized and empowered to give notice forthwith to the President, Directors and Company of the Union Bank, that the Legislature of this Commonwealth do order and direct the said President, Directors and Company of the Union Bank, after nine months from the notice given aforesaid, to purchase of the Commonwealth the whole of capital stock owned in said Bank, according to the terms and provisions specified and contained in the act of incorporation of said Bank.

And be it further resolved, That the said Treasurer of this Commonwealth be also authorized and directed to receive from said Bank any proposition relative to the purchase of said stock, and to report the same, with his opinion touching the interest of this Commonwealth, at the first session of the next General Court.

CHAP. CXXV.

Resolve authorizing the Register of Deeds, for the county of York, to keep his office at Alfred. December 7th, 1816.

Resolved, That the Register of Deeds of the county of York be, and he hereby is authorized and empowered to hold and keep his office, and the records and papers thereof, in Alfred, any law or resolve to the contrary notwithstanding.

CHAP. CXXVI.

Resolve on the petition of Benjamin Plumer, jun. December 7th, 1816.

On the petition of Benjamin Plumer, jun. Adjutant of the second Regiment, second Brigade, and eleventh Division of the Militia of this Commonwealth, praying that he may be paid for certain services performed by him in said office, in the year eighteen hundred and twelve:

Resolved, For reasons alleged in said petition, that the Committee on Accounts be authorized to receive, examine, and allow such part (if any) of the account mentioned in said petition, as they may think just and reasonable, any thing in the law to the contrary notwithstanding.

CHAP. CXXVII.

Resolve authorizing the Selectmen of Charlestown to appoint additional Engine Men. December 7th, 1816.

Resolved, That the Selectmen of the town of Charlestown be, and they hereby are authorized and empowered to nominate and appoint any number of engine men, not exceeding fifteen, in addition to the number now allowed by law, for all the engines in said town, who shall be apportioned among the said engines, as the Selectmen aforesaid may direct; And the engine men so appointed, or any part thereof, at the discretion of the Selectmen aforesaid shall, under the direction of the Firewards of said town, attend

fires therein with axes, firehooks, fire sails and ladders, and do such further duty as the said Selectmen shall from time to time prescribe: And all engine men, appointed in pursuance of this resolve, shall continue in office during the pleasure of the Selectmen of said town, and shall be entitled to all the privileges and exemptions to which other engine men are, or may hereafter be, by law entitled.

CHAP. CXXVIII.

Resolve on the petition of Samuel Pickens, Attorney to Margaret Booth, granting her $16 90, *due her late husband, Luke Perkins.* December 7th, 1816.

On the petition of Samuel Pickens, of Middleborough, in behalf of the widow Margaret Booth, setting forth that there is a balance due from this Commonwealth to her first husband, Luke Perkins, for services rendered:

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, unto the widow Margaret Booth, of said Middleborough, sixteen dollars and ninety cents, being a balance due to Luke Perkins, the former husband of said Margaret Booth, for his services in the revolutionary war, who died in the service of his country.

CHAP. CXXIX.

Resolve on the petition of David York, granting him $64, *as a witness in the case of Thomas Keeler, Esq.* December 7th, 1816.

On the petition of David York, setting forth that in the winter of 1810, he, by order of the House of Representatives, attended as a witness before the Honorable House, on a complaint against one Thomas Keeler, and praying to be allowed a reasonable compensation:

Resolved, That there be paid out of the Treasury of this Commonwealth, to the said David York, sixty-four dollars, in full compensation for all fees and expenses for his travel and attendance as aforesaid.

CHAP. CXXX.

Resolve on the petition of Samuel Thaxter and Robert H. Thayer, authorizing the sale of the estate of certain minors. December 7th, 1816.

On the petition of Samuel Thaxter and Robert H. Thayer, Guardians of Elizabeth H. Thayer, Maria H. Thayer, and Charles W. Thayer, minors, praying that they, the said Guardians, may be authorized to sell at private sale, the estate of the said minors, being three undivided seventh parts of a certain piece of land situate in Congress-street, in Boston, and adjoining the Exchange Coffee House, of which the said minors are possessed as heirs of the late Amasa Thayer, of said Boston, deceased:

Resolved, For reasons set forth in said petition, that the said Samuel and Robert be, and they hereby are authorized and empowered to sell the said estate of said minors at private sale, and to make to the purchaser or purchasers a good and sufficient deed or deeds thereof; *Provided*, the said Robert and Samuel can obtain therefor a price proportionally equal to the price given by the proprietors of the Exchange Coffee House, for the remaining part of said land; *and provided also*, that the said Robert and Samuel first give bond to the Judge of Probate, of the county of Suffolk, with sufficient sureties, to account for the proceeds of the sale, according to law.

CHAP. CXXXI.

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

The Secretary will lay before you the report of the Commissioners appointed by a resolve of the Legislature, passed on the 25th January last, to ascertain the practicability of a navigable canal to unite Connecticut and Merrimac rivers, together with a report of the Honorable Thomas Stephens, Honorable Silas Holman, and Benjamin Weld, Esquires, a Committee appointed by the Governor and Council on the 6th of February last, by virtue of a resolve of the Legislature, passed on the 5th of the same month, to make such

contract as they might think just and reasonable with the Commissioners above mentioned. The surveys of the Commissioners, their account, the contract made with them by the Committee, and sundry other documents connected therewith, will accompany the report.

J. BROOKS.

Council Chamber, Dec. 7th, 1816.

CHAP. CXXXII.

Resolve authorizing Job Sibley and Henry Brigham to execute a Deed of quit claim to Samuel Hunt.
December 9th, 1816.

On the petition of Job Sibley and others, stating that Samuel Hunt, of Oakham, in the county of Worcester, on the first day of January last, conveyed to Warren Sibley, of Barre, in said county, a certain tract of land situated in said Oakham, on the northerly side of the county road leading from Barre to Rutland, containing half an acre, with a dwelling-house and barn thereon, and received from the said Warren Sibley, a promissory note of hand for the sum of nine hundred dollars, as payment for the same, no part of which note is yet paid; that the said Warren Sibley has since deceased, and that it now appears that said Hunt had sold the same premises to one Eleazer James, Esq. previous to his deed to said Warren Sibley, and had, therefore, no right or title again to convey the same, whereby the estate of said Sibley is liable to the payment of said note, without title to, or possession of said land and buildings: Therefore

Resolved, That Job Sibley and Henry Brigham, jun. Administrators on the estate of Warren Sibley, late of Oakham, deceased, be, and they are hereby authorized and empowered to give to Samuel Hunt a release and quit claim of the before described land and buildings, upon the relinquishment by the said Hunt, of the said note of hand.

CHAP. CXXXIII.

Resolve making valid the doings of the Assessors of the second parish in Roxbury. December 9th, 1816.

Resolved, That the doings of the Assessors of the second parish in Roxbury be, and the same are hereby confirmed and rendered good and valid in law, any defect in the record of their being chosen and sworn, to the contrary notwithstanding.

CHAP. CXXXIV.

Resolve granting half a township of land to Amherst Academy. December 11th, 1816.

On the petition of the Trustees of Amherst Academy, praying for a grant of Eastern lands:

Resolved, That there be, and hereby is granted to the Trustees of Amherst Academy, their successors in said office or assigns, for the sole use and benefit of said Academy, one half of a township of six miles square, from any of the unappropriated lands, belonging to the Commonwealth, in the District of Maine, except the ten townships on the Penobscot river, purchased of the Penobscot Indians, and to be subject to all the reservations usual in grants of this kind: The same township to be vested in said Trustees, their successors in said office, and assigns forever, for the sole use and benefit of said Academy; reserving four hundred acres, one half for the use of schools, and the other half for the use of the ministry therein; the same half township to be laid out under the direction of the Commissioners for the sale and settlement of Eastern lands, at the expense of said Trustees, as soon as satisfactory evidence shall be produced to them that the sum of three thousand dollars has been subscribed and secured to said Trustees, towards a permanent fund for the use and benefit of said Academy, in addition to their buildings: *Provided,* the said Trustees, within five years from and after the laying out and location of the same half township aforesaid, cause ten families to be settled thereon: *And provided also,* that said Trustees give bond to the Treasurer of the Commonwealth, faithfully

to apply the proceeds and avails of said half township, to the sole use and benefit of said Academy.

And be it further resolved, That the said half township of land shall be located agreeably to the foregoing provision, within two years from the first day of June next, otherwise this grant shall be void.

CHAP. CXXXV.

Resolve directing the loan of Books, Maps, and Documents, &c. to the Agent of the United States on Eastern Boundary Line. December 11th, 1816.

Resolved, That the Secretary of the Commonwealth be authorized to loan to the Agent of the United States, under the fourth article of the Treaty of Ghent, any books, maps, or documents, which are or may be in his possession, relative to said boundary, and as the said Agent shall request, he giving his receipt therefor; and the said Agent shall have free access to all the records of the Commonwealth, and have the right of taking copies of the same, and to have the same duly authenticated.

CHAP. CXXXVI.

Resolve granting taxes to the counties of Cumberland, Bristol, York, Norfolk, Barnstable and Essex. December 11th, 1816.

Whereas the Treasurers of the following counties have laid their accounts before the Legislature, which accounts have been examined and allowed; and whereas the Clerks of the Courts of Sessions for said counties, have exhibited estimates made by said Courts, of the necessary charges which may arise within the said several counties for the year ensuing, and of the sums necessary to discharge the debts of said counties:

Resolved, That the sums annexed to the several counties, contained in the following schedule be, and the same are hereby granted as a tax for each county respectively, to be apportioned, assessed, paid, collected and applied for the purposes aforesaid, according to law.

County of Cumberland, nine thousand seven hundred and eighty dollars	9,780 00
County of Bristol, seven thousand five hundred dollars	7,500 00
County of Norfolk, five thousand five hundred dollars	5,500 00
County of Barnstable, one thousand two hundred and fifty dollars	1,250 00
County of Essex, seventeen thousand five hundred dollars	17,500 00
County of York, four thousand dollars	4,000 00

CHAP. CXXXVII.

Resolve granting compensation to the Commissioners for ascertaining the practicability of a navigable canal to unite the Connecticut and Merrimack Rivers.

December 11th, 1816.

The Committee of both Houses, who had under consideration the Message of his Excellency the Governor, accompanying the report of the Commissioners, appointed to ascertain the practicability of a navigable canal to unite the Connecticut and Merrimack rivers, ask leave to report the following resolves, which are respectfully submitted by

MARK L. HILL, *Chairman.*

Resolved, That the report of the Commissioners, appointed by a resolve of the Legislature passed on the 25th of January last, to ascertain the practicability of a navigable canal to unite Connecticut and Merrimack rivers, together with the surveys and other documents accompanying the same, be lodged in the Secretary's office.

Be it further resolved, That there be allowed and paid out of the Treasury of this Commonwealth, unto Loammi Baldwin, and John Farrar, Esquires, the sum of three hundred and thirty-eight dollars, and sixty-three cents, which sum, together with five hundred dollars, heretofore appropriated and applied to that purpose, is in full for their services, and the persons employed by them in making said surveys, drawing plans, and reporting to the Legislature.

And be it further resolved, That there be allowed and paid out of the Treasury of this Commonwealth, unto the Honorable Thomas Stephens, Silas Holman, and Benjamin Weld, Esquires, the sum of fifty-five dollars, in full for their time, travel and expenses, in executing the business of their commission, in relation to the appointment of said Commissioners and their survey as aforesaid.

CHAP. CXXXVIII.

Resolve on the petition of Horatio Bartlett, authorizing Eliel Gilbert to dispose of the interest of certain minors.
December 11th, 1816.

On the petition of Horatio Bartlett, praying that Calvin Hale, and Hannah Hale, his wife, may, with the consent of Eliel Gilbert, Guardian to the said Calvin Hale, be authorized to sell and convey certain real estate lying in Ashfield, in the county of Franklin:

Resolved, That Eliel Gilbert, as Guardian aforesaid, may contract with the said Horatio for all the right, title and interest which the said Calvin and Hannah have in her right to the estate of Phinehas Bartlett, late of Ashfield, deceased; and that the said Calvin Hale and Hannah Hale be authorized, if they shall judge expedient, to make and execute a deed of conveyance of all their right, title and interest to the estate aforesaid, which sale and conveyance shall be as effectual in law as if the said Calvin was not under guardianship.

CHAP. CXXXIX.

Resolve granting taxes to several counties.
December 11th, 1816.

Whereas the Clerks of the Courts of Sessions of the following counties, have exhibited estimates, made by said Courts, of the necessary charges which may arise within the several counties for the year ensuing, and of the sums necessary to discharge the debts of the said counties:

Resolved, That the sums annexed to the names of the several counties, contained in the following schedule be, and the same are hereby granted as a tax for each county respectfully, to be apportioned, assessed, paid, collected and applied for the purposes aforesaid, according to law.

County of Hampshire, three thousand dollars	3,000
County of Suffolk, twenty thousand dollars	20,000
County of Oxford, three thousand dollars	3,000
County of Penobscot, four thousand dollars	4,000
County of Somerset, two thousand two hundred dollars	2,200
County of Hancock, four thousand five hundred dollars	4,500

And be it further resolved, That the Treasurers of the counties aforesaid, respectively, (excepting the Treasurer of the said county of Penobscot,) be, and they hereby are required and directed to present their respective accounts for the present year, to the General Court at their next session.

CHAP. CXL.

Resolve on the petition of David Townsend, Guardian to Abraham Pierce, of Waltham, authorizing him to sell real estate. December 12th, 1816.

On the petition of David Townsend, of Waltham, in the county of Middlesex, Guardian of Abraham Pierce, of said Waltham, a spendthrift, praying for license to sell and pass deeds to convey the whole of the real estate of the said Abraham Pierce:

Resolved, That the prayer of said petition be granted; and the Guardian of the said Abraham Pierce be, and he is hereby authorized and empowered, by joining in deed or deeds with Mary Pierce, the wife of the said Abraham Pierce, to sell and convey in fee all the real estate of which the said Abraham and the said Mary are seized as aforesaid, being land situated in Waltham, as follows: one piece containing about thirty-three acres, bounding on the north by the great country road, leading from Boston to Worcester, and on the south by Charles river; one other piece of land, containing about twelve acres, on Prospect Hill, so

called; one other piece of land in Newton, containing about five acres, and bounded on Charles river: And such conveyance so made by the said David Townsend, in his said capacity, together with the said Mary, shall operate, to all intents and purposes, as a valid conveyance of all the right, title and interest, which the said Abraham Pierce, and the said Mary, in her right, have as aforesaid, in the real estate as shall be sold and conveyed as aforesaid: *Provided*, that the said David Townsend first give bond, with sufficient sureties, to the Judge of Probate, for the county of Middlesex, or his successor in said office, that he will observe the rules and directions of law for the sale of real estate by Guardians; and the proceeds of said sale, after paying the just debts of said Pierce, expenses of guardianship, and incidental expenses, shall be put at interest on good security, for the said Abraham's and said Mary's benefit, and the same be accounted for according to law.

CHAP. CXLI.

Resolve granting to the Massachusetts and Berkshire Agricultural Societies, aids to their funds.
December 12th, 1816.

Resolved, That the sum of five hundred dollars be paid out of the Treasury of this Commonwealth, at or before the first day of October next, unto the Massachusetts Agricultural Society, and the same sum annually for the term of two years then next following, to be by them, in addition to their own private funds, employed in dispensing premiums to individuals, and to corporations who shall exhibit the best specimens of domestic animals, of domestic fabrics, and useful inventions, agreeably to the rules which the said Society may from time to time prescribe.

And be it further resolved, That the sum of two hundred dollars be paid out of the Treasury of this Commonwealth to the Berkshire Agricultural Society, at the same time, for the term of years, and for similar purposes, as in the foregoing grant made to the Massachusetts Agricultural Society.

CHAP. CXLII.

Resolve confirming the records of the Trustees of Hampden Academy, and fixing times for their meetings.
December 12th, 1816.

On the petition of the Trustees of Hampden Academy:

Resolved, For reasons set forth in their petition, that the votes passed, and acts done by the said Trustees, at their meetings since the first legal meeting of the said Trustees was holden, be confirmed, and made valid to all intents and purposes, as if the said records were whole and entire; and that the following days be established as the times for holding their regular meetings hereafter, viz. on the second Mondays of February, May, August, and November, and that all the said meetings be holden at the Academy building, in the said town of Hampden, and that said Trustees be authorized to adjourn their meetings to any other times not herein mentioned.

CHAP. CXLIII.

Resolve granting Archibald M'Neil $300, *in full for land.*
December 12th, 1816.

The Committee of both Houses, on the petition of Archibald M'Neil, for compensation for a piece of ground inclosed in the yard of the State Prison, report:

That it appears to your Committee, that although your petitioner has no claim in law, yet in equity he has, inasmuch as the deed covers more ground than he intended, or was sensible he conveyed at the time; they therefore report the following resolve:

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Archibald M'Neil, three hundred dollars, in full compensation for land included within the walls of the State Prison yard, and his Excellency the Governor, with advice of Council, be authorized and requested to draw his warrant on the Treasurer for the same.

CHAP. CXLIV.

Resolve referring the petition for a Bridge over St. George's River, to the next General Court.
December 12th, 1816.

On the petition of Edward Killeran, and others, praying that they may be authorized to build a bridge over St. George's River, between the towns of Cushing and Thomastown:

Resolved, That the further consideration of the subject be referred to the first session of the next General Court, and that the same may be then taken up and acted on without further notice to either party.

CHAP. CXLV.

Resolve granting Samuel Emerson, of Wells, the sum of twenty-two dollars and fifty cents.
December 12th, 1816.

On the petition of Samuel Emerson, of Wells, Physician, praying for the allowance of his account for medical services on a wounded soldier:

Resolved, for reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to the said Samuel Emerson, the sum of twenty-two dollars and fifty cents, in full for medicine furnished, and attendance on James Mitchel, a soldier wounded while on duty at a regimental review.

CHAP. CXLVI.

Resolve on the petition of Enos Smith, that a bond given by him as Agent for Ashfield, may be cancelled, on condition.
December 12th, 1816.

On the petition of Enos Smith, praying that a bond which was given to the Board of War, by said Enos Smith, Agent for the town of Ashfield, might be cancelled, on the condition thereof being fulfilled:

Resolved, That Joseph H. Pierce, Esq. be, and he hereby is authorized and empowered to receive the certificates required by the bond aforesaid, and to cancel the said bond, if in his opinion the said certificates are adequate to the object for which the bond was given, and that they be lodged with the Secretary of the Commonwealth, for the purpose of accompanying the papers received by him from the Board of War, and now in his custody.

CHAP. CXLVII.

Resolve releasing the inhabitants of township No. 7th Range, north of Waldo patent, from State taxes. December 12th, 1816.

On the petition of the inhabitants and settlers of township number seven, in the seventh range of townships north of Waldo patent:

Resolved, For reasons set forth in said petition, that the inhabitants of said township, and the land within the township aforesaid be, and hereby are exempted and released from all the State taxes which have been assessed upon said inhabitants and land, also from the State tax, for the year 1817, granted by the Legislature, at the present session.

CHAP. CXLVIII.

Resolve relative to erection of buildings, in which to deposit the public military stores. December 12th, 1816.

The Committee of both Houses, to whom was referred the Message of his Excellency the Governor, of the 23d of November last, and the communication of the Quarter-Master General, of the 8th of the same November, which Message and communication refer to the necessity of additional buildings being erected for the safety and preservation of the cannon, small arms, laboratory stores, and other munitions of war, belonging to the Commonwealth, have had the same under consideration, and ask leave to report—That, after due investigation and inquiry, they are satisfied, that the interests of the state require the erection of additional build-

ings for the safe keeping and preservation of the large and valuable amount of military stores and munitions of war, which are now exposed to danger, from fire, to loss from depredation, and to deterioration and injury from the want of proper buildings in which to secure and preserve them. This property is much larger in quantity, and of much more value than has been usually contemplated, and the best economy requires more expensive buildings for its safe keeping than can be met by the comparatively small appropriations hitherto contemplated by the Legislature for this important object. And as a Laboratory by the present militia arrangements is absolutely necessary to be located in the town of Boston," and proper buildings are required for that purpose, and a Distributing Arsenal, your Committee have also directed their inquiries to this subject, and are convinced that the Commonwealth continually suffers loss, and its property is constantly liable to destruction by fire, and other ways, from the very inconvenient and improper buildings to which this business is now confined. Your Committee are of the opinion, and this opinion is supported by that of a Committee of the Honorable Council, to whom this subject has been submitted, and whose report accompanies the Message of his excellency the Governor, that a fire proof brick building one hundred feet long, forty feet wide and three stories high, is required to be erected on the Commonwealth's land in the town of Cambridge, as an Arsenal ; and that a like fire proof building of from sixty to eighty feet in length and thirty feet wide and three stories high, is absolutely required to be erected in the town of Boston, as a Laboratory and Distributing Arsenal. To complete these buildings, the Committee estimate nearly fourteen thousand dollars will be necessary. They therefore ask leave to report the following resolve ; all which is respectfully submitted by

J. HUNEWELL, *Chairman.*

Resolved, That his Excellency the Governor, with the advice of Council, be authorized and requested to appoint Agents, on the part of the Commonwealth, to cause a fire proof Distributing Arsenal and Laboratory of suitable dimensions, to be erected in the town of Boston, and that the same be so situated and constructed as to be separated from all private buildings, and on land to be enclosed with a brick wall or stockade, of a suitable height.

Be it further resolved, That the said Agents or a majority of them be, and they are hereby authorized to make such arrangements and agreements with the Selectmen of the town of Boston, respecting the location of said Distributing Arsenal and Laboratory, and respecting the exchange or transfer of the land now used by, and in possession of the Commonwealth, for Laboratory and other military purposes, which land is situated on and near Pleasant-street, in said town of Boston; such location, exchange or transfer, if necessary, to be made in such way and manner, and on such conditions, as in the opinion of the said Agents or a majority of them, will be most conducive to the effectuating the intentions and purposes of this resolve, and be most beneficial to the Commonwealth.

Be it further resolved, That said Agents cause to be erected on the Commonwealth's land in the town of Cambridge, a fire proof brick building as an Arsenal, to be one hundred feet in length, forty feet wide, and three stories high, as a place of the more permanent deposit of tents, camp equipage, fixed ammunition, and other munitions of war.

Be it further resolved, That the Governor be, and he hereby is authorized and empowered, by and with the advice of the Council, to draw his warrants on the Treasurer of this Commonwealth, at such times and in such sums in favour of said Agents, as may be necessary to carry this resolve into effect; such sums, however, not to exceed in the whole, fourteen thousand dollars.

Be it further resolved, That so much of the resolve passed on the thirteenth day of February last, as authorized the Governor, by and with the advice of the Council, to draw his warrants upon the Treasurer of this Commonwealth, for any sum or sums, not exceeding seven thousand dollars, for the purposes aforesaid, be, and the same hereby is repealed.

CHAP. CXLIX.

Resolve granting Jacob Kuhn, Messenger to the General Court, $300 *for the purchase of fuel.*

December 13th, 1816.

Resolved, That there be paid out of the Treasury of this Commonwealth, to Jacob Kuhn, Messenger of the General Court, the sum of three hundred dollars, to enable him to

purchase fuel, and such other articles as may be necessary for the use of the General Court, together with the Governor and Council Chamber, the Secretary's, Treasurer's, Adjutant General's and Quarter Master General's Offices, and also the Land Office; he to be accountable for the expenditure for the same.

CHAP. CL.

Resolve authorizing Josiah P. Cooke, Executor of the Will of William Andrews, to sell real estate. December 13th, 1816.

On the petition of Josiah P. Cooke, of Boston, stating, that on the twenty-eighth day of May last, the Will of William Andrews was duly proved in the Probate Court, in the county of Middlesex, by which he was appointed Executor of said Will, and that no express authority is given him by said Will to sell and convey the real estate of said Andrews, and praying for leave to sell said real estate, the said devisees, who are of age, having expressed to said petitioner their assent and desire that the same should be sold: Therefore

Resolved, That he, the said Josiah P. Cooke, be, and he is hereby authorized and fully empowered to sell the real estate of which the said William Andrews died seized and possessed; and to make and execute any deed or deeds effectual in law to convey the same, as fully and effectually as if the said Testator had expressly by his Will authorized his Executor to sell and convey the same in fee; he, the said Josiah P. Cooke, complying with the rules and regulations appertaining to the sale of real estates by Executors and Administrators, and giving bond to the Judge of Probate, with sufficient surety or sureties, in the county of Middlesex, for the due execution of said trust according to the true intent and meaning of said Will.

CHAP. CLI.

Resolve on the petition of Joseph Butterfield, directing the Commonwealth's Agent for the sale of Eastern lands, to execute a deed. December 13th, 1816.

On the petition of Joseph Butterfield, of Plantation of No.

3, on the east side of Penobscot river, stating, that in the year 1801, one Daniel Eppes purchased part of a quarter township in said Plantation, and mortgaged the same to the Commonwealth, to secure the payment of the purchase money; that the petitioner purchased of said Eppes two thousand acres, part of the said tract; that the petitioner has paid into the Treasury of this Commonwealth about seven hundred dollars, in part of the principal and interest of said mortgage; that a division was afterwards made between the several owners of said tract of land, so that each of them was thereafter to hold his part in severalty, the whole being still encumbered by the said mortgage of the same; that judgment has been recovered by the Commonwealth for the possession of the mortgaged premises, against the petitioner and the other tenants in possession; that the petitioner cannot avail himself of his right of redeeming his part of the mortgaged premises, but by the payment of the whole sum due to the Commonwealth on the mortgage aforesaid; that he is unable to pay the sum so due; that he has been at great expense in buildings and improvements on said land, which he must wholly lose, unless the Legislature grant him relief in the premises: Therefore

Resolved, That the Agent for the sale of Eastern lands, be, and hereby is authorized, after having investigated the subject, and ascertained the facts in the case, to make and execute, in behalf of the Commonwealth, a good and sufficient deed of so much and such part of the said two thousand acres of land, thereby releasing to the said Butterfield, his heirs and assigns, the right, title and interest of the Commonwealth therein, as the said Agent, under all the circumstances of the case, shall judge to be a reasonable compensation for the sums of money paid by the said Butterfield to the Commonwealth, on the mortgage aforesaid: *Provided however*, that such deed, if made, shall in nowise affect the title of the Commonwealth to any other part of the mortgaged premises.

CHAP. CLII.

Resolve on the petition of Daniel Budge, and others.
December 13th, 1816.

On the petition of Daniel Budge, and others, inhabitants

of the town of Levant, in the county of Penobscot, praying the Legislature to grant to the said inhabitants, the three hundred and twenty acres of land, reserved in said town for the future disposition of this Commonwealth:

Resolved, For reasons set forth in said petition, that whenever the inhabitants of the said town of Levant shall have erected a bridge over the Kenduskeag stream, near Hodsden's mills, in said town, supported and secured by stone abutments, and three piers; such bridge to be made in all respects to the acceptance and approbation of the Circuit Court of Common Pleas, for the third eastern circuit, which Court is hereby authorized and required to appoint a Committee of three disinterested and discreet persons, to examine and make report in the premises, to said Court, previous to its determination as to the sufficiency of such bridge; that then there be and hereby is granted to the inhabitants of said town of Levant, and their successors, all the right, title, and interest of the Commonwealth, in and to the said three hundred and twenty acres of land; to have and to hold the same to the said inhabitants and their successors in fee: *Provided however*, that such bridge shall be erected within two years from passing this resolve; *and provided also*, that the acceptance and approbation of the said Court, in the premises, and a certified copy of the same shall have been returned to the Land Office, within six months thereafter.

CHAP. CLIII.

Resolve on the petition of Hannah Ross, relinquishing the right of the Commonwealth to estate of her late husband.
December 13th, 1816.

On the petition of Hannah Ross, of Boston, in the county of Suffolk, widow:

Resolved, For reasons set forth in the said petition, that all the right, title, and interest which the Commonwealth has, or might have, in and to one undivided moiety of a certain parcel of land, with the buildings thereon, situated in Boston aforesaid, bounded southerly on Elliot-street, twenty-two feet, westerly on land now or late of Adam Hardwick, one hundred and thirty-seven feet and six inches, northerly on land now or late of the heirs of Josiah Torrey, twenty-

two feet, easterly on land now or late of Thomas Spear, one hundred and forty feet, with the privileges and appurtenances thereto belonging, which real estate was purchased by Wm. Ross, of Boston, deceased, during his intermarriage with the said Hannah, and of which said William died seized, he being at the time of his death a subject of the king of the united kingdom of Great Britain and Ireland, and having never been naturalized and admitted a citizen of the United States, be, and the same is hereby granted and released to the said Hannah Ross, and to her heirs and assigns forever: *Provided however*, that the same shall be held subject to the payment of all the just debts of the said William, in case his personal estate shall be insufficient therefor, in the same manner as real estates of persons deceased are holden and subject by the laws of this Commonwealth.

CHAP. CLIV.

Resolve authorizing the Governor to appoint three suitable persons to consider the subject of the State Prison, at large, and report. December 13th, 1816.

The Committee of both Houses, who were directed to examine the system now practised in regulating and governing the State Prison, to compare the same with similar establishments in other states, &c. ask leave to report:

That they have extended their inquiries towards the object of their appointment with all the assiduity which has been practicable. They have visited the State Prison, and, through the politeness and attention of the Warden and Officers, a developement was made of the existing state of things in relation to that institution, which is highly honorable to those entrusted with its care, and very satisfactory to your Committee.

But like all other human institutions, this establishment is capable of progressive improvement.

Without going into a detailed account of the mode of employing the convicts, and of the expenses consequent thereon, your Committee beg leave to call the attention of the Legislature to a few facts, which the present inquiry has disclosed.

It appears by the letter of the Warden of the State Prison, addressed to the Chairman of your Committee, herewith ac-

companying, that the whole number of convicts are three hundred and three, of which fifteen only are females. There are four persons under the age of fourteen years, thirty-four persons between fourteen and twenty-one years, and one hundred and forty-nine between the age of twenty-one and thirty, making an aggregate of one hundred and eighty-seven persons under the age of thirty years.

The maxims of every wise state, lead to the enactment of laws calculated to prevent the commission of crimes. This is a prime object: for this, principally, was the penal code of this Commonwealth modified, and the present mode of punishment, by solitary confinement, substituted, for that of a more sanguinary character, and withal to give those convicted of crimes, an opportunity, by repentance and amendment of life, to be restored to society.

Now your Committee would respectfully ask, whether the present mode of treating the convicts, by putting those who are young, having, as yet, no fixed habits of vice, and sentenced for comparative light offences, immured with those committed for heinous crimes, and who have long wallowed in the paths of iniquity? It is believed an answer will be given in the negative; and your Committee are corroborated in this opinion, from the examination recently made before the Municipality of London, on a similar subject, as well as from the consideration, that if the number of convicts continue to increase as heretofore, some new arrangement, classification of the prisoners, or an enlargement of the Prison limits, will be indispensable.

An efficient employment of the convicts is the great desideratum in order to curtail the expenses of the Prison: it will be seen, by the letter before referred to, that only one hundred and ninety-four persons of the whole number are thus effectually employed at present. But as the weaving, and some other modes of employment, have failed of being productive, in a great degree, hewing of stone, and some other branches of work are substituted, which is likely to prove more beneficial.

Your Committee would also beg leave to suggest the propriety of having the clothing of the convicts manufactured by themselves, since wool is becoming a staple of the Commonwealth; and it is believed coarse woollens can be manufactured cheaper than importations of that article can be made.

Among the various Penitentiary establishments in this country, perhaps none have made greater advances toward perfection than that in Pennsylvania; but as the knowledge of your Committee, in this regard, is very limited, and as the investigation connected with this subject may be important in its consequence to the state, both as to the purchase of more land contiguous to the Prison, and of dividing the several apartments more effectually, your Committee beg leave to report the following resolve, which is respectfully submitted by

MARK LANGDON HILL, *Chairman.*

Resolved, That his Excellency the Governor, with the advice of Council, be authorized, and he is hereby requested forthwith to appoint three suitable persons to enquire by the most ready and economical manner, into the mode of governing the Pennsylvania Penitentiary, and others of a similar nature; to consider at large the subject of the State Prison, and to report any improvements which can be made in the government, organization, or enlargement of that establishment, with leave to report by bill or otherwise, at the first session of the next General Court.

CHAP. CLV.

Resolve directing the Adjutant General to examine proceedings of Courts Martial, &c. and report, &c.
December 14th, 1816.

Resolved, That the Adjutant General be, and he hereby is requested to examine the proceedings of Courts Martial, and Courts of Inquiry, now on file in his office, and report at the next session of the Legislature, if there are any, and what cases the publication of which would essentially promote the good order of the Militia, and correct conduct in officers, and tend to prevent the great expense of calling such Courts in future, by showing the decisions that have been approved.

Resolved, That the Adjutant General be, and he hereby is requested to prepare, and report at the next session of the Legislature, a system of Artillery, Light Infantry, and Rifle drill discipline, and manœuvres for the Light Infantry and Rifle corps of this Commonwealth.

CHAP. CLVI.

Resolve directing that all proceedings of Courts Martial, and Inquiry, be deposited in the Office of the Adjutant General. December 14th, 1816.

Resolved, That the Secretary of this Commonwealth be directed to deliver over to the Adjutant General, all the records and papers in relation to Courts Martial and Courts of Inquiry, to be deposited in that office; and that all papers, which relate to the proceedings of Courts Martial and Courts of Inquiry, shall hereafter be deposited in the Adjutant General's office.

CHAP. CLVII.

Resolve in favor of Isaac Adams, Assistant to the Messenger of the Governor and Council. December 14th, 1816.

Resolved, That there be allowed and paid from the public Treasury of this Commonwealth, to Isaac Adams, Assistant to the Messenger of the Governor and Council, two dollars and fifty cents for each day he may have been or shall be employed the present session of the Honorable Council.

CHAP. CLVIII.

Resolve for paying Joseph Francis, Page to the House of Representatives. December 14th, 1816.

Resolved, That there be paid out of the Treasury of this Commonwealth, to the Messenger, to be by him paid over to Joseph Francis, one dollar and twenty-five cents per day, for each day he the said Francis shall have attended as Page to the House of Representatives, the present session of the General Court.

CHAP. CLIX.

Resolve on the petition of David Wilder, authorizing him to sell estate of David Wyer. December 14th, 1816.

On the petition of David Wilder, of Leominster, in the county of Worcester, physician, Guardian of David Wyer, of said Leominster, spendthrift, praying that he, said David Wilder, in his said capacity, may be authorized and empowered to sell at public auction, to the highest bidder, and to transfer and convey to the highest bidder, all said spendthrift's real estate which has come to his hands, lying and situate in said Leominster, consisting of about thirty-three acres, with the buildings thereon, valued at thirty-five hundred dollars in the inventory:

Resolved, For reasons set forth in said petition, that the said David Wilder, in his said capacity, be, and he hereby is fully authorized and empowered to sell at public auction, and to convey all the said real estate belonging to the said David Wyer, situated in said Leominster, and in his said capacity to make and execute good and sufficient deed or deeds of conveyance thereof, which deed when duly acknowledged and recorded, shall make a legal title to the purchaser or purchasers thereof: *Provided,* that the said David Wilder first give bond, with sufficient sureties, to the Judge of Probate for said county of Worcester, in making said sale, to observe the rules and directions of law for the sale of real estate by Executors or Administrators, and that the proceeds of said sale, so far as the same will extend, shall be applied in the first place to the payment of the balance mentioned in said petition, now due from said spendthrift to said Guardian, and of the incidental expenses of the sale; and the surplus, if any, to the support and maintenance of said spendthrift and his family, or otherwise to the rules of law.

CHAP. CLX.

Resolve granting pay to Warren Chase, Henry Bacon, and Lewis Low, Assistants to the Messenger of the General Court. December 14th, 1816.

Resolved, That there be allowed and paid out of the pub-

lic Treasury of this Commonwealth, to Warren Chase, Henry Bacon, and Lewis Low, Assistants to the Messenger of the General Court, one dollar for each day during the present session of the Legislature, in addition to the usual allowance of two dollars per day.

CHAP. CXLI.

Resolve granting pay to John Low, Jun. Assistant Messenger of the House of Representatives.
December 14th, 1816.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to John Low, Jun. Assistant Messenger of the House of Representatives, seventy-eight dollars, in full for his services in that capacity, during the present session of the General Court.

CHAP. CLXII.

Resolve granting pay to Theron Metcalf, as Reporter on Contested Elections. December 14th, 1816.

Resolved, That there be allowed and paid out of the public Treasury, to Theron Metcalf, Esq. the Reporter of Contested Elections for this House, the sum of one hundred and twenty-five dollars, for his services during the present session of the General Court.

CHAP. CLXIII.

Resolve granting a tax to the county of Kennebeck.
December 14th, 1816.

Whereas the Clerk of the Circuit Court of Common Pleas for the county of Kennebeck, has exhibited an estimate made by said Court, of the necessary charges which may arise within said county the year ensuing, and of the sums necessary to pay the debts of said county:

Resolved, That the sum of four thousand and eight hundred dollars be, and the same is hereby granted as a tax on the said county of Kennebeck, for the year of our Lord one thousand eight hundred and seventeen, to be apportioned, assessed, paid, collected and applied for the purposes aforesaid, according to law. And whereas said estimate is not accompanied by the Treasurer's account for said county, therefore

Be it further resolved, That the Treasurer of said county be, and he hereby is required to produce his account as Treasurer of the county aforesaid, at the first session of the next General Court.

CHAP. CLXIV.

Resolve discharging the Quarter-Master General from sums received, and making an appropriation for his department. December 14th, 1816.

The Committee of both Houses, to whom was referred the Quarter-Master General's communication relating to the expenditures in his department, have attended to the duties of their appointment, and find his account well vouched and right cast; and that he has expended the year past, ten thousand five hundred and ninety-six dollars and eighteen cents, including seventeen hundred dollars for his salary for the year ending January 27th, 1817; and has received the year past, by warrants on the Treasury, twelve thousand dollars, leaving a balance of fourteen hundred and three dollars and eighty-two cents, for which he is still accountable:—Ask leave to report the following resolves, which is respectfully submitted.

Per order.

JOSIAH QUINCY, *Chairman.*

Resolved, That Amasa Davis, Esq. Quarter-Master General, be, and he hereby is discharged from the sum of ten thousand five hundred and ninety-six dollars and eighteen cents, being part of the sum he has received the year past, by warrants on the Treasury.

Resolved, That the sum of ten thousand five hundred dollars be paid to the Quarter-Master General, from the Trea-

sury of this Commonwealth, to meet the expenses of his department the ensuing year; for the application of which the Quarter-Master General is to be accountable; and his Excellency the Governor is requested to issue his warrants on the Treasury, for the amount, in such sums, and at such periods, as his Excellency, with the advice of Council, may deem expedient for the public service.

CHAP. CLXV.

Resolve granting pay to the Chaplains of the General Court. December 14th, 1816.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the Reverend Francis Parkman, Chaplain of the Senate, and the Reverend Asa Eaton, Chaplain of the House of Representatives, sixty dollars each, in full for their services in said offices, the present year.

CHAP. CLXVI.

Resolve making allowance to the Messenger of General Court. December 14th, 1816.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Jacob Kuhn, Messenger of the General Court, the sum of two hundred and fifty dollars; which, with the sum already allowed him, shall be in full for his services the present year, ending the thirtieth day of May next.

CHAP. CLXVII.

Resolve providing for the payment of the Committee on Accounts. December 14th, 1816.

Resolved, That there be allowed and paid out of the public Treasury, to the Committee appointed to examine and pass on Accounts, presented against the Commonwealth, for

their attendance on that service during the present session, the sum of one dollar per day, in addition to their pay as Members of the Legislature, viz. :—

Hon. Silas Holman, twenty-seven dollars,
Thomas Weston, thirty dollars,
Daniel Howard, twenty-eight dollars,
James Robinson, thirty-two dollars,
Alford Richardson, thirty-two dollars.

CHAP. CLXVIII.

Resolve authorizing Ebenezer White to sell estate of John King, his ward. December 14th, 1816.

On the petition of Ebenezer White, of Newton, in the county of Middlesex, Guardian of John King, of said Newton, a spendthrift, stating, that the debts of the said spendthrift, exceed the amount of his personal estate, and the rents and profits of his real estate; that it is necessary to raise a sum of money for the payment thereof, by a sale, at least of a part of the said King's real estate, and that a sale of a part thereof only, would greatly injure the residue, and praying that he may be authorized to sell the whole of the same estate :

Resolved, For reasons set forth in the said petition, that the said Ebenezer White be, and he hereby is authorized to sell the whole of the said real estate of the said King, situated in Newton, aforesaid, and containing about sixy acres, with the buildings thereon, and a good and sufficient deed or deeds thereof, to make to the purchaser or purchasers : *Provided*, that the said White shall first give bond, with sufficient sureties, to the Judge of Probate, for the said county of Middlesex, in making sale, to observe the rules and directions of law for the sale of real estate by Executors or Administrators; and that the proceeds of said sale, so far as the same will extend, shall be applied in the first place for the payment of the debts now due from the said spendthrift, of the incidental expenses of the sale, and the surplus, if any, to the support and maintenance of said spendthrift and his family, or otherwise agreeably to the rules of law.

CHAP. CLXIX.

Resolve on the petition of Francis M'Kusick, discharging him from a judgment and executions.
December 14th, 1816.

On the petition of Francis M'Kusick, of Denmark, in the county of Oxford, praying to be relieved from a judgment in favor of this Commonwealth, against him, rendered at the Supreme Judicial Court, holden at Portland, in the county of Cumberland, and for the counties of Cumberland and Oxford, on the fourth day of May, A. D. 1814, on the forfeiture of his recognizance for the appearance of Bernice Richardson, at said Court, to answer to an indictment against the said Richardson—which judgment, with the executions issued thereon, amounts to one hundred and seventy-one dollars and eighty-two cents:

Resolved, For reasons set forth in said petition, that the said Francis M'Kusick be, and he is hereby wholly discharged from the said judgment, and the executions issued thereon.

CHAP. CLXX.

Resolve on the petition of Jesse Parker, of Groton, Administrator on the estate of Winslow Parker, deceased.
December 14th, 1816.

On the petition of Jesse Parker, of Groton, in the county of Middlesex, Administrator of the estate of Winslow Parker, late of said Groton, deceased; it appearing, that this Commonwealth, on the 15th day of December, A. D. 1784, by deed of that date, of their Committee, fully authorized for a valuable consideration paid by said Winslow, to the use of the Commonwealth, sold and conveyed with warranty against the claims of all persons, a certain messuage and three several tracts of land in said Groton, to hold to him, his heirs and assigns forever;—It also appearing, that the said Jesse, and Jonas Longley Parker, Winslow Parker, Libni Parker, Dan Parker, Nathaniel Parker, Job Parker, Harriot Parker, Nabby Parker, Clark Parker, Anna Parker, and Sabina Parker, children and heirs of said Winslow

Parker, deceased, have been sued by one Gilbert Ainsley, in an action of land, which said action is now pending in the Supreme Judicial Court in the said county of Middlesex, wherein the said Gilbert demands against the said tenants one undivided moiety of the premises, sold and conveyed as aforesaid by said Commonwealth;—and it further appearing, that one James Martin, on the last Tuesday in October, A. D. 1815, at the Supreme Judicial Court, begun and holden at Cambridge, in said county of Middlesex, recovered judgment against said tenants for one undivided moiety of said premises, and that the Jury estimated the value of said moiety of the premises, without the improvements, at seven hundred dollars; and that said Martin, then and there, abandoned said premises to the tenants, and that the said Commonwealth has paid to said Martin, said sum of seven hundred dollars, and the cost of said Martin's suit; and it further appearing, that the said Gilbert Ainsley has a good title to an undivided moiety of said premises, as his title was virtually settled in the said Martin's action against said tenants: Therefore

Resolved, That the Treasurer of this Commonwealth be, and he is hereby directed, by warrant from his Excellency the Governor, to pay unto the said Gilbert Ainsley, or his lawful attorney, the sum of seven hundred dollars, together with thirty-six dollars and fifty-seven cents, costs of said Gilbert's suit, upon the making and executing of such deed or deeds, to be approved by the Attorney General or Solicitor General, as shall be sufficient in law to bar and preclude him, the said Gilbert, and his heirs respectively, from the said premises, and every part and parcel thereof, forever, to inure to the use of said tenants their heirs and assigns respectively, and causing such deed or deeds, so approved, to be recorded in the Registry of Deeds, in the county of Middlesex, and there deposited, to be delivered to said tenants, upon their application therefor.

And be it further resolved, That the said Treasurer be, and he is hereby directed, by warrant from his Excellency the Governor, to pay over into the hands of said Jesse Parker, the sum of twenty-five dollars, to be taken in full compensation for the claims of the tenants upon the Commonwealth, for their costs and charges about the defence of said suit.

CHAP. CLXXI.

Resolve granting Honorable Edward H. Robbins $300, *on account, as Agent for sale of Eastern lands.* December 14th, 1816.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the Honorable Edward H. Robbins, Esq. three hundred dollars, on account of services rendered as Agent for the Commonwealth's lands, in the District of Maine, he to be accountable for the same.

CHAP. CLXXII.

Resolve directing the Secretary to deliver Maps and Statistical View of Maine, to the Governor, Lieutenant Governor, Counsellors, Senators and Representatives. December 14th, 1816.

Resolved, That the copies of the Map and Statistical View of Maine, by Moses Greenleaf, now remaining on hand of the number subscribed for, by the Commonwealth, be distributed as follows:

To his Excellency the Governor, his Honor the Lieutenant Governor, and the Members of the Council, each one copy, and to the Members of the Senate and House of Representatives, one copy each, so far as the number on hand will permit.

CHAP. CLXXIII.

Resolve directing the Secretary to deliver the Laws and Resolves to the several County Treasurers, and to Registers of Deeds. December 14th, 1816.

Resolved, That the Secretary be directed to deliver to each Register of Deeds, and each County Treasurer, within this Commonwealth, one full set of the Statute Laws and Resolves of this Commonwealth, to be for the use of such Register and Treasurer, and their successors in said offices.

CHAP. CLXXIV.

Resolve to pay the Clerks of the General Court.
December 14th, 1816.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Samuel F. M'Cleary, Clerk of the Senate, the sum of three hundred and fifty dollars; to Benjamin Pollard, Clerk of the House of Representatives, the sum of three hundred and fifty dollars; to Jeremiah Perley, Assistant Clerk of the Senate, the sum of two hundred and sixty dollars; and to Thomas Walcutt, a Clerk in the Lobbies, for the assistance of the Members of the Legislature, one hundred and twenty dollars, in full for their respective services, in the capacities aforesaid, during the present session of the General Court.

CHAP. CLXXV.

Resolve on the petition of Thomas Kennedy, jun. granting him $11, *for transportation of troops.*
December 14th, 1816.

On the petition of Thomas Kennedy, jun. of Newcastle, in the county of Lincoln:

Resolved, That eleven dollars be allowed and paid out of the Treasury of this Commonwealth, to said Kennedy, in full compensation for means furnished by him for transportation of troops, in defence of this Commonwealth, during the late war: *Provided,* said Kennedy give duplicate receipts therefor, one of which to be filed in the Secretary's office, among the demands against the United States, for expenses incurred by this state during the late war with Great Britain.

CHAP. CLXXVI.

Resolve directing the Quarter Master General to purchase and send corn for Penobscot Indians, and appointing Agents to deliver it to said Indians.
December 14th, 1816.

The Committee of both Houses, to whom was referred

the Memorial of the Principals and Agents of the Penobscot tribe of Indians, have attended to the duty assigned them, and ask leave to report:

That they find the said tribe to consist of about two hundred and fifty souls, more than two thirds of whom are females and children; that the said Indians have been, the late season, uncommonly unfortunate in their usual employment of hunting; and that, owing to this, to a scarcity of provision, particularly corn, at this time, in their section of the state, and to an injudicious management of what they have received from the Commonwealth the last autumn, they are likely to be in a condition little removed from actual starvation, during the present winter: Therefore your Committee beg leave to report the following resolutions.

WILLIAM D. WILLIAMSON,
Per Order.

Resolved, That the Quarter Master General of this Commonwealth be, and he is hereby authorized to purchase, for the use of the said tribe of Indians, three hundred bushels of corn, to inclose the same in casks, and to procure the transportation thereof to the store of Richard Thurston, of Frankfort, in the county of Hancock.

Resolved, That the said Richard Thurston, and Robert Parker, of Bangor, in the county of Penobscot, are hereby appointed Agents, and directed to deliver the same corn to the said tribe of Indians, from and after the first day of January next, in manner following, viz.: In each and every week, shall be delivered out to them fifteen bushels thereof, till the whole be expended: And the said Agents are hereby required to render to the said Quarter Master General, a true statement of their doings, within one year from the passing of these resolves.

Resolved, That the Governor be, and he is hereby authorized to issue his warrant in favor of the said Quarter Master General, on the Treasurer of this Commonwealth, for such sum of money as will enable said Quarter Master General forthwith to carry the provisions of these resolutions into complete effect.

CHAP. CLXXVII.

Resolve authorizing the Governor to appoint persons to superintend the straightening and lowering the wall in the rear of the State House yard. December 14th,1816.

Resolved, That his Excellency the Governor be, and he hereby is authorized, by and with the advice of the Council, to appoint three suitable persons to superintend the straightening and lowering of the State House wall, in the rear of the State House yard, the taking in the steps into the yard on the east side of the State House, and the lowering of Sumner-street; and to contract for the exchange of the land on which the offices of the State House now stand, for a piece of land on the west end of the State House, which land is owned by the proprietors of the square in the rear of the State House, and for the erection of new offices, on such land, as shall be obtained by such exchange, in such manner and on such terms as to said Committee shall be judged expedient: *Provided*, that all the land relinquished by the Commonwealth, shall be laid open to widen and straighten said Sumner-street, so that when the new wall shall be erected, it shall make the division line between said Sumner-street and the State House yard; *and provided also*, the same can be done without any expense to the Commonwealth.

ROLL No. 76....November, 1816.

THE Committee on Accounts having examined the several accounts, they now present,

REPORT, That there are now due to the Corporations and persons hereafter mentioned, the sums set to their names respectively, which, when allowed and paid, will be in full discharge of the said accounts, to the several dates therein mentioned: which is respectfully submitted.

SILAS HOLMAN, *Per Order.*

PAUPER ACCOUNTS.

Town of Arundel, for board, clothing, doctoring and nursing Henry Rolph, to 26th November, 1816,	142 75
Adams, for board, clothing and doctoring sundry paupers, to 6th November, 1816,	335 12
Augusta, for support of sundry paupers, to 10th November, 1816,	214 76
Andover, for board and clothing Patrick Callahan and Sukey Hornsby, to 4th December, 1816,	125 37
Abington, for board and clothing Thomas Seymour, to 4th December, 1816,	44 00
Attleborough, for support of sundry paupers, to 7th July, 1816,	112 59
Baldwin, for board and clothing Daniel Hickey, to 1st November, 1816,	33 60
Belgrade, for board, nursing and doctoring Nancy Odlin, to 4th November, 1816,	51 60
Bowdoinham, for board, clothing and nursing Eliza Parker, to 23d October, 1816,	72 74

Bridgewater, for board and clothing sundry paupers, to 22d November, 1816,	98 77
Barnstable, for support, nursing and doctoring William Reed, to 5th August, 1816,	28 00
Barre, for board and clothing Samuel Lee, Sally Taylor and her child, to 28th November, 1816,	76 03
Blandford, for board and clothing ——— Brewster, to 8th November, 1816,	57 25
Beverly, for board and clothing sundry paupers, to 1st December, 1816,	209 99
Bradford, Samuel. keeper of goal in the county of Suffolk, for supporting sundry poor prisoners, confined for debt, to 19th October, 1816,	568 50
Belchertown, for board and clothing sundry paupers, to 16th November, 1816,	77 95
Bedford, for board and nursing Daniel M'Carter, till his death, and funeral expenses, October 31st. 1816,	30 00
Bellingham, for board, clothing and doctoring Nathan Freeman and wife, to 4th December, 1816,	75 55
Boston Board of Health, for support and doctoring sundry paupers, at the Hospital on Rainsford Island, with contagious disease,	491 56
Brookline, for board, nursing and doctoring Peter Henry, to 2d December, 1816,	20 00
Boston, for board and clothing sundry paupers, to 1st December, 1816,	6066 37
Chesterfield, for board and clothing sundry paupers, and funeral charges of Rachel Polly, to 10th November, 1816,	77 23
Chester, for board and clothing George Buttolph and wife, and Benjamin Powers, to 2d November, 1816,	182 96
Cambridge, for board and clothing sundry paupers, to 16th, 1816,	336 06
Cape Elizabeth, for board and clothing James Ramsbottom, and Thomas Farrar, to 4th November, 1816,	102 56
Cheshire, for board and clothing sundry paupers, to 8th November, 1816,	128 36
Canton, for support of John Cole, to 1st May, 1816,	33 60

Charlestown, for board and clothing sundry paupers, to 5th December, 1816,	597 78
Dorchester, for board and clothing John Harrison and Thomas Wyman, to 21st November, 1816,	49 00
Durham, for board and clothing sundry paupers, to 1st December, 1816,	165 60
Dalton, for board, doctoring and nursing Martha Dalton, till she left the town, 11th November, 1816,	41 00
Danvers, for board and clothing sundry paupers, to 19th November, 1816,	929 13
Dracut, for support of Richard Baker, to 9th November, 1816,	57 17
Elliot, for board and clothing Abigail Randal and Jacob Brewer, to 25th November, 1816,	59 66
Enfield, for board and nursing William Rice, to 23d November, 1816,	46 50
Egremont, for board and clothing sundry paupers, to 12th November, 1816,	230 87
Framingham, for support of Lucy Green, to 8th November, 1816,	22 03
Friendship, for board and clothing James Metcalf and Martha Bigmore, to 7th November, 1816,	54 35
Falmouth, Cumberland county, for support of Felician Sang and Lettis Willson, to 8th November, 1816; also for Rachel Cushing and Anna Baker, to same time,	159 94
Franklin, for board and doctoring Thomas Barre, till his death, and funeral charges, June, 1816,	13 00
Falmouth, Barnstable county, for support of Edward Edwards, to 3d December, 1816,	24 00
Frankfort, for board and clothing Hatwell Colson, to 1st November, 1816,	47 79
Gorham, for support of Robert Gillfilling, to 10th November, 1816,	36 00
Grafton, for supplies to Benjamin White and Isaac Newman, to 7th November, 1816,	88 16
Gill, for board and clothing sundry paupers, to 16th November, 1816,	183 12
Great Barrington, for board, clothing and nursing sundry paupers, to 12th November, 1816,	227 78
Granville, for board, nursing and doctoring George Taylor, to 4th November, 1816,	29 00

Greenfield, for support of Lazarus Tollis and wife, to 1st August, 1816, and removing them out of the Commonwealth,	114 00
Gloucester, for board and clothing sundry paupers, to 10th November, 1816,	1074 99
Hadley, for board and clothing Friday Allen and wife, to 6th November, 1816,	87 00
Haverhill, for board, clothing, doctoring and nursing Aaron Abbot and William Tapley, to 25th November, 1816,	84 86
Hodgkins, Joseph, keeper of the House of Correction in the county of Essex, for support of sundry paupers, to 21st November, 1816,	200 15
Ipswich, for board and clothing sundry paupers, to 1st November, 1816,	277 15
Kittery, for board and clothing Sarah and Deborah Perkins, and child, to 26th November, 1816,	134 16
Kingston, for board and clothing James and Edward Renney, to 23d November, 1816,	21 95
Long Meadow, to support of sundry paupers, to 9th November, 1816,	132 62
Lenox, for board, clothing and doctoring sundry paupers, to 8th November, 1816,	165 45
Lee, for support of sundry paupers, to 5th November, 1816,	242 39
Lanesborough, for board, clothing, and supplies to sundry paupers, to 1st November, 1816,	188 14
Lewistown, for board, clothing and nursing John Steel, till his death, and funeral charges, 24th July, 1816,	65 79
Leeds, for board and clothing Nicholas Tallier and Richard Creech, to 6th November, 1816,	76 67
Leyden, for board and clothing sundry paupers, to 9th November, 1816,	118 92
Lincolnville, for board, clothing and nursing sundry paupers, to 9th November, 1816,	165 19
Lynn, for board and clothing sundry paupers, to 29th November, 1816,	543 53
Mount Vernon, for supplies to William Ham and family, to 4th November, 1816,	38 66
Monmouth, for board and clothing John Sherburn and Peggy Magner, to 12th November, 1816,	121 67

Malden, for board, clothing and doctoring Samuel Thomson, until his death, and funeral charges, 17th March, 1816,	58 50
Medfield, for board and clothing George Turner, to 25th November, 1816,	56 86
Montville, for support of John Gloster, to 7th November, 1816,	24 81
Minot, for board and clothing Philip Weeks, to 15th November, 1816,	46 75
Milford, for board and clothing Betsey Gould, to 26th November, 1816,	46 97
Machias, for board, clothing, doctoring and nursing sundry paupers, to 16th November, 1816,	140 18
Marlborough, for support of Joseph Waters, to 28th November, 1816,	62 00
Merrill, John, for doctoring sundry criminal prisoners in Portland gaol, to 20th November, 1816,	16 38
Manning, Thomas, for doctoring sundry criminal prisoners in Ipswich gaol, to 17th November, 1816,	19 34
Marblehead, board and clothing sundry paupers, to 14th November, 1816,	313 01
Milbury, for support of Freeman Still, to 9th November, 1816,	42 31
Middleborough, for support of sundry paupers, to 2d December, 1816,	128 46
Northfield, for support of Amos Riley, a child, to 8th November, 1816,	26 40
Newbury, for board and clothing sundry paupers, to 16th November, 1816,	1188 73
Noyes, Nathan, for doctoring sundry criminal prisoners in county of Essex gaol, to 10th April, 1816,	23 79
New Gloucester, for board and clothing sundry paupers, to 18th November, 1816,	137 16
North Yarmouth, for board and clothing sundry paupers, to 8th November, 1816.	60 60
North Hampton, for board, clothing and doctoring sundry paupers, to 25th November, 1816,	275 91
Norwich, for support of Daniel Williams, to 13th November, 1816,	31 21

Newry, for board and clothing William Burk, to 1st November, 1816,	26 55
New Bedford, for board and clothing sundry paupers, to 1st November, 1816,	385 21
Newton, for board, clothing and doctoring Joseph Pritchard, to 7th November, 1816, and Hugh Stanley, till his death, and funeral charges,	147 77
Newburyport, for board and clothing sundry paupers, to 1st December, 1816,	1164 68
North Brookfield, for board and clothing Daniel Peterson, and Joseph Peterson, to 4th November, 1816,	63 89
Overseers of Marshpee Indians, for board, clothing and doctoring sundry paupers, to 1st December, 1816,	494 97
Pittsfield, for board and clothing sundry paupers, to 15th November, 1816,	295 14
Pepperell, for board, clothing and nursing Robert B. Minchin, to 23d May, 1816,	31 20
Peru, for support of James Robbins, to 25th November, 1816,	42 37
Plymouth, for board and clothing sundry paupers, to 24th November, 1816,	423 10
Palmer, for board, clothing and nursing William and Phebe Mendon, to 16th November, 1816,	110 16
Portland, for board and clothing sundry paupers, to 16th November, 1816,	1147 60
Rowley, for board, clothing and doctoring Benning Dow and Ellen Collins, to November 11th, 1816,	73 38
Rochester, for support of Depford Brown, till his death, April, 1816,	25 00
Randolph, for board and clothing William Reed, to 6th June, 1816,	31 06
Reading, for board, clothing and doctoring Ceaser Howard, till he left the town, October, 1813,	44 00
Roxbury, for board and clothing sundry paupers, to 25th November, 1816,	333 84
Rowe, for board and clothing Betsey Carpenter, to 15th May, 1816,	26 00
Richmond, for board, clothing and doctoring Thomas Rowley and Samuel Hill, to 2d December, 1816,	95 40

Rehoboth, for support of sundry paupers, to 25th November, 1816, and Goff till his death, and funeral charges,	249 36
Sutton, for board and clothing Isabella Santee's three children, to 10th November, 1816,	37 68
Stockbridge, for board, clothing and doctoring sundry paupers, to 2d September, 1816,	300 29
Shelburn, for board and clothing Mary Batts, to 11th November, 1816,	76 98
Sekonk, for board, doctoring and nursing John Currie, to 11th November, 1816,	39 42
Somerset, for board, doctoring and nursing John Webb, till his death, and funeral charges, October, 1816,	17 00
Sherburne, for board and clothing Benjamin Houghton, to 25th November, 1816,	43 00
Salisbury, for board and clothing Mary Curtis, to 16th September, 1816,	8 25
Sheffield, for board and clothing Hannah Row, to November 9th, 1816, and Samuel Deverett, till his death, and funeral charges,	65 64
Sandisfield, for board of Richard Dickson and family, to 6th November, 1816,	24 00
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Topsham, for board and clothing John Duggin, to 18th November, 1816,	71 07

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Windsor, for board and clothing Rachel Smith, till her death, June, 1816, and funeral charges,	11 00
Warwick, for board and clothing Lord Anson Wood, to 21st December, 1816,	36 00
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Wellington, for support of Catharine Butler, to 1st December, 1816,	37 50
Westborough, for board and clothing Dinah, a Negro, to 1st December, 1816,	53 23
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Wareham, for support of William Long, to 12th vember, 1816,	8 10
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Grennel, George, to 10th September, 1816,	62 78
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Hubbard, Russell, to 15th November, 1816,	23 20
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Thayer, Minot, to 1st September, 1816,	92 65
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Whitney, Timothy P. to 3d October, 1816,	119 25
Wingate, Joseph, to 12th October, 1816,	73 50
Woods, Sampson, to 26th October, 1816,	77 50
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Butterfield, Joseph, to 1st October, 1816,	22 00
Fales, Samuel E. to 1st October, 1816,	22 30
Garrett, Andrew, to 1st October, 1816,	16 20
Gitchell, Ephraim, to 1st October, 1816,	31 85
Hoyt, Elihu, to 1st October, 1816,	37 80
Kendall, Henry, to 1st November, 1816,	29 35
Lyman, Lewis, to 1st October, 1816,	28 40
Pollard, Oliver, to 1st October, 1816,	19 60
Phinney, Elias, to 1st October, 1816,	29 50
Ripley, James W. to 1st October, 1816,	38 60
Taylor, Henry, to 1st October, 1816,	36 40
Wood, David, jun. to 1st October, 1816,	14 80
	326 80

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Arms, George, to 12th October, 1816,	34 84
Adams, James, jun. to 1st October, 1816,	10 85
Bryant, William C. to 28th September, 1816	5 49
Bourn, Abner, to 25th September, 1816,	106 88
Burnham, Enoch, to 10th November, 1816,	35 71
Burt, David, to 11th September, 1816,	19 45
Breed, Andrew, to 29th September, 1816,	39 35
Bemis, Isaac, jun. to 1st November, 1816,	73 91
Burnham, Thomas. to 19th February, 1816,	30 15
Choate, William, to 5th November, 1816,	4 97
Cooley, Stephen, jun. to 25th September, 1816,	22 25
Crane. Thomas, 13th October, 1816,	45 25
Carlton, William, to 1st September, 1816,	22 21
Coolidge, Nathaniel, to 24th September, 1816,	30 12
Colman, Daniel, to 1st November, 1816,	22 58
Campbell, D. to 12th September, 1816,	100 36
Clark, Gilbert, to 18th November, 1816,	80 13
Champney, John, to 8th November, 1816,	94 13
Cushing, Ned, to 27th September, 1816,	58 23
Clark, Joseph, to 7th September, 1816,	59 77
Carr, Francis, jun. to 2d March, 1815,	9 58
Carr, Joshua W. to 20th September, 1816,	22 95
Clark, Samuel, to 14th November, 1816,	113 75
Dean, John G. to 1st September, 1816,	30 63
Draper, William, to 12th November, 1816,	46 49
Deming, John, to 20th September, 1816.	42 88
Dickinson, Philo, to 17th September, 1816,	14 53
Foster, Benjamin, to 14th September, 1816,	69 43
Freeman, William, to 3d November, 1816	26 67
Fairbanks, Stephen, to 28th September, 1816,	109 62
Goodridge, Elijah P. to 17th April, 1816,	20 61
Herrick, Oliver, to 24th September, 1816,	12 88
Haskell, Joseph, to 18th September, 1816,	52 12
Hale, E. jun. to 31st August, 1816,	26 95
Harrington, Joseph, to 11th October, 1816,	66 58
Hoyt, John C. to 9th October, 1816,	18 91
Hapgood, Thomas, to 18th November. 1816,	41 11
Hovey, Alfred, to 12th September, 1816,	59 88
Henshaw, Samuel, to 10th November, 1816,	58 62
Jaques, Henry, to 20th November, 1816.	77 77
Jones, Nathan, to 11th October, 1816.	12 84

Keith, Joseph, to 22d September, 1816,	48 55
Kingman, Simeon, to 16th August, 1816,	50 98
Knight, Peter M. to 15th September, 1816,	2 40
Keith, Cyrus, to 14th September, 1816,	26 88
Lincoln, Asa, to 29th September, 1816,	15 90
Marston, Jonathan, to 26th June, 1816,	44 28
Mitchell, Isaac, to 21st September, 1816,	48 22
Nye, Joseph, to 23d September, 1816,	32 02
Nason, Levit, to 26th September, 1816,	31 75
Ormsbee, Abraham, to 16th September, 1816,	41 82
Parker, Joseph, to 3d August, 1816,	23 96
Plummer, Benjamin, to 1st November, 1812,	21 34
Parsons, William, jun. to 1st October, 1816,	12 87
Rollins, John, to 20th October, 1816,	10 48
Rockwell, Uzal, to 25th September, 1816,	14 13
Rice, Alvan, to 19th May, 1816,	10 14
Richardson, Wyman, to 17th September, 1816,	43 15
Tobey, Elisha, to 1st February, 1816,	32 90
Thompson, Charles, to 22d September, 1816,	53 17
Tucker, Seth, to 11th October, 1816,	81 50
Stone, Hosea, to 21st September, 1816,	12 00
Sewall, Benjamin, to 8th November, 1816,	68 21
Sprague, Roswell, to 7th September, 1816,	15 83
Stanwood, David, to 19th September, 1816,	45 72
Sexton, George, to 2d October, 1816,	21 06
Shepherd, James, to 27th Septemper, 1816,	107 62
Seaver, James, jun. to 6th October, 1816,	70 88
Sayles, Richard, to 26th September, 1816,	43 32
Sayles, Williard, to 28th September, 1816,	37 45
Sampson, John, to 9th September, 1816,	14 00
Wyles, John, to 11th November, 1816,	18 69
Waters, Jason, to 1st September, 1816,	11 99
Williams, Lemuel, jun. to 25th September, 1816,	37 30
Wild, Jonathan, jun. to 1st October, 1816,	92 29
Wright, Simeon W. to 22d August, 1816,	13 90
Winter, Samuel, to 27th September, 1816,	26 12
Wheelwright, George, to 11th September, 1816,	16 31
	$3160 61

Expense of Horses to haul Artillery.

Bachellor, Samuel, to 2d November, 1816,	6 00
Bigelow, David, to 9th November, 1816,	5 00

Babcock, Nathan, to 8th November, 1816,	18 00
Cromwell, Aldrich, to 11th October, 1816,	9 00
Cobb, William, to 27th November, 1816,	15 00
Cutler, Samuel, to 3d October, 1816,	10 00
Dyer, James, to 24th September, 1816,	10 00
Eastman, Philip, to 13th September, 1816,	10 00
Everett, George, to 19th October, 1816,	8 00
Freeman, Asa, to 24th September, 1816,	3 00
Farnsworth, William, to 1st November, 1816,	10 00
Gilley, John, to 9th October, 1816,	10 00
Goldthwait, Moses, to 9th October, 1816,	10 00
Green, Nathaniel, to 27th October, 1816,	5 00
Holt, Amos, to 13th September, 1816,	7 50
Hopkins, Charles W. to 1st November, 1816,	7 50
Harrington, Nathaniel, to 9th October, 1816,	8 33
Jameson, Robert, to 25th September, 1816,	11 00
Johnson, Alfred, to 27th September, 1816,	5 00
Morse, Nathaniel, to 1st September, 1816,	25 00
Mattoon, Elijah, jun. to 1st November, 1816,	10 00
Mayhew, Frederick, to 12th October, 1816,	7 50
Mason, Isaac, to 8th November, 1816,	15 00
Nelson Ezra, to 4th November, 1816,	7 50
Phelps, Ansel, to 9th October, 1816,	5 00
Phelps, Julius, to 11th October, 1816,	5 00
Pomeroy, Barry G. to 1st November, 1816,	10 00
Phillips, B. to 1st October, 1816,	40 00
Sibley, Samuel, to 1st November, 1816,	5 00
Smith, Edmund M. to 1st November, 1816,	15 00
Smith, Joseph E. to 1st November, 1816,	40 00
Thaxter, Jonathan, to 1st October, 1816,	30 00
Webber, Amos S. to 26th September, 1816,	22 50
Wadleigh, Ephraim B. to 9th October, 1816,	12 50
Varnum, Phineas, to 8th November, 1816,	7 50
	$425 83

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Cooper, John, Sheriff of Washington County, for returning votes, to December, 1816,	59 50
Crane, Elijah, Sheriff of Norfolk County, for returning votes, to December, 1816,	2 72
Davis, Wendell, Sheriff of Barnstable County, for returning votes, to December, 1816,	10 00
Folsom, John W. Coroner of Suffolk County, for inquisition on the body of sundry strangers, and burial, to December, 1816,	64 15
Goodwin, Nathaniel, Coroner of York County, for inquisition on the body of a stranger, and burial, March, 1815,	17 84
Howard, Samuel, Sheriff of Kennebeck County, for returning votes, to December, 1816,	59 10
Herrick, Jedediah, Sheriff of Penobscot County, for returning votes, to December, 1816,	70 00
Hunnewell, Richard, Sheriff of Cumberland County, for returning votes, to December, 1816,	41 25
Leonard, Horatio, Sheriff of Bristol County, for returning votes, to December, 1816,	10 00
M'Millan, John, Sheriff of Oxford County, for returning votes. to December, 1816,	26 67
Pike, Joseph, Coroner of Essex County, for inquisition on the body of a stranger, and burial, August, 1816,	13 58
Thacher, Samuel, Sheriff of Lincoln County, for returning votes, to December, 1816,	34 00
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$2275 46

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Bradford & Read, for stationary furnished the government, to 18th November, 1816, 40 12
Bradley, Samuel, for sundry ironmongery for State House, to 25th November, 1816, 20 84
Bird, Abraham, for lumber furnished for State House, to 18th November, 1816, 67 09
Burditt, James W. for stationary furnished the government, to December, 1816, 117 32
Bacon, Henry, for assisting the Messenger of the General Court, to 14th December, 1816, 62 00
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Thomas H. Perkins,	14 00	
Joseph Bemis,	14 00	
William Brewer,	14 00	
Robert Rantoul,	14 00	
Nathan Appleton,	14 00	70 00

Chase, Warren, for assisting the Messenger, to 14th December, 1816, 64 00
Durant, William, for glazing State House, to 19th November, 1816, 25 00
Estate of John White, for wood furnished for State House, to December, 1816, 70 00

Felt, David, for bookbinding for Secretary's Office, to November, 1816,	2 25
Howe, Joseph, for funnel for stove in State House, December, 1816,	6 60
Loring, Jonathan, for taking up the body of a stranger, and burial, November, 1816,	6 00
Munroe & Francis, for bookbinding for Secretary's Office, to 7th December, 1816,	2 00
Osgood, Peter, for paving State House yard, to 29th November, 1816,	19 50
Robinson, James, Agent for building Engine House, and digging well, for balance of his account, to December, 1816,	948 08
Spear, Henry, for funeral expenses of a stranger, by order of the Coroner, December, 1816,	5 00
Thompson, James, for sundry ironmongery for State House, to 5th December, 1816,	41 22
Wells, B. & T. for water pans, and putting up, October, 1816,	21 20
Wheeler, John, for carpenter's work for State House, to November, 1816,	127 60
West & Richardson, for stationary furnished Secretary's Office, to 11th December, 1816,	20 87
Lincoln, Amos, for carpenter work on the State House, to 9th November, 1816,	30 65
Low, Lewis, for assisting the Messenger to 14th December, 1816,	62 00
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Resolved, That there be allowed and paid out of the public Treasury, to the several Corporations and persons mentioned in this Roll, the sums set against such Corporations and persons' names respectively, amounting in the whole to the sum of forty-three thousand, five hundred and twenty-six dollars and forty-six cents, the same being in full discharge of the accounts and demands to which they refer.

December 14th, 1816,

Approved by the Governor.

COMMONWEALTH OF MASSACHUSETTS.

Secretary's Office, May 1st, 1817.

I hereby certify, that the Resolves contained in this pamphlet, passed at the session of the General Court, beginning the 13th of November, and ending December 14th, 1816, have been examined and compared with the originals in this office, and appear to be correct, excepting the name "*Abner*," which occurs several times in page 301; it should be *Aner*.

ALDEN BRADFORD,

Secretary of the Commonwealth.

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RESOLVES

OF THE

GENERAL COURT

OF THE

Commonwealth of Massachusetts,

PASSED AT THEIR SESSION

WHICH COMMENCED ON WEDNESDAY, THE 28th DAY OF MAY, AND ENDED ON THE 18th OF JUNE, 1817.

.....

Published agreeably to a Resolve of 16th January, 1812.

.....

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.....

1817.

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OF THE

COMMONWEALTH OF MASSACHUSETTS,

FOR THE POLITICAL YEAR 1817....18.

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RESOLVES

OF THE

GENERAL COURT OF MASSACHUSETTS,

PASSED AT THEIR SESSION,

WHICH COMMENCED ON THE 28th OF MAY, AND ENDED ON

THE 18th DAY OF JUNE, A. D. 1817.

GOVERNOR'S SPEECH.

REPRESENTATIVES' CHAMBER, MAY 31st, 1817.

At 12 o'clock, the two Chambers met in convention, when his Excellency the Governor, agreeably to notice, came in, attended by the Lieutenant Governor, Council, Secretary, and Heads of Departments, and delivered the following

SPEECH:

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

THE return of the election season, brings with it little of novelty, but much to engage and interest us. Past events, and a long catalogue of patriots and statesmen, with the recollection of whom the transactions of the season are associated, recur to the mind, and enter deeply into the meditations of the occasion.

History, the instructive epitome of the character of man, exhibits to us not only the perpetual conflict of reason and passions, striking alternations of rectitude and error, and the commanding powers and extreme imbecility of the hu-

man mind, but the formation of governments, their progressive changes, and ultimate catastrophe.

But without extending our view over the general history of man or of government, the annals of our own country, the authentic memorials of the migration and settlement, the character and manners, the political and religious principles, and the literary institutions of our forefathers; the rise, progress, and termination of the momentous question between Great Britain and her Colonies, now the United States of America, respecting the right of parliamentary taxation; the origin, structure, and establishment of our systems of jurisprudence, and their influence upon individual happiness, open various and prolific sources of instruction to the legislator, and of proud satisfaction to the American patriot.

You are called upon, gentlemen, to exercise the functions of legislation at a time highly propitious for impartial inquiry into the great interests of the Commonwealth. For a long succession of years, such was the extraordinary state of most of the nations of Europe, with which our interests are involved, that the minds of your predecessors have been occupied with painful apprehensions of the public safety, or with the arduous duties of providing means for public defence. During that eventful period, the ordinary avocations of many of our fellow citizens were interrupted. Navigation, commerce, manufactures, and even agriculture, assumed or were forced into a preternatural state. Vast numbers of people were compelled to abandon pursuits which inclination had selected, providential allotments had facilitated, and habit had rendered familiar and lucrative; and resort was had, in too many instances, to desperate projects of speculation and adventure, equally eluding calculation, ruinous to individuals, and vitiating to public morals. But the public mind being now relieved from its disquieting solicitude, by the internal tranquillity of the state, the elevated character of our republican systems of government, the respectable condition of public credit, resting on its primitive principles of fiscal administration, and the existing relations of amity between the United States and the other commercial nations of the world; you are happily indulged the opportunity of turning your attention specially to the interior concerns of the Commonwealth. And coming, as you do, from every section of the state,

you bring with you, not only a knowledge of the wants and wishes of your respective constituents, but of all those facts and circumstances prerequisite for suggesting and perfecting any public improvements, of which the Commonwealth may be susceptible.

Annual elections and frequent meetings of the Legislature, being designed to perpetuate the principles of a free constitution in their purity and vigour, and to promote in the highest degree possible, the general welfare of the state, it seems highly proper, as auxiliary to these ends, that the attention of the Legislature should be often directed to inquiries into the competency of the laws for securing to the people their political and elective rights; to inquiries, whether they obtain, as there may be a demand, what the constitution assures them, right and justice freely, completely and promptly, without purchase, without denial, and without delay? Whether the code of criminal law be adapted to the state of society and morals, and punishments be uniformly commensurate with the nature and turpitude of crimes? Whether due encouragement is bestowed upon the interests of religion, learning, humanity, and benevolence; upon agriculture and the fisheries; upon naval architecture, and other mechanic and manufacturing arts; upon commerce, and those productions of genius and taste, which enrich and embellish a state? And in fine, whether the laws are impartially and faithfully administered?

Agriculture was not only the first employment of man, but we may observe, an admirable and happy coincidence of his interest, his passions, and his taste, with his primitive destination. But agriculture is unsusceptible of an independent existence. Unsolicited by the demands of commerce and manufactures, would the rural economist extend his care and toil beyond the supply of his own immediate consumption? Men do not act without motives. The hope of profit sweetens and originates labor. But if the surplus products of the soil become a worthless incumbrance to the producer, languor, inaction and scarcity will be the result.

Whatever may be the intrinsic value, or the relative importance of the several great departments of political economy, which are so intimately united as to be inseparable, an inquiry into most promising means of multiplying and

meliorating the products of husbandry, will not be deemed unworthy a Massachusetts Legislature. A plentitude of subsistence affords the most sure and stable foundation for the maintenance and augmentation of the population of the state, for the improvement of manufactures, and for the active circulation of the surplus products of art and labor.

Massachusetts has ever been respectable. And while she retains the spirit and is governed by the principles of her political, religious and moral institutions; while her schools and higher seminaries of learning; while science and the useful arts shall be cherished; her love of justice and her habits of industry and economy shall be maintained, she must continue to command the respectful consideration of the world. The Commonwealth, to the mild and beneficent influence of whose constitution and laws we are immediately, or remotely indebted, not only for our civil rights, but for the secure enjoyment of the rights of conscience, the pleasures of friendship, and of whatever is most dear to our affections in domestic life, claims our first fealty and homage. And, I may add, that the people of the several states will most efficaciously perpetuate our system of national government, by preserving the solidity and the strength, and maintaining the erect attitude of the pillars upon which the vast and lofty superstructure is erected.

By recurring to the resolves of the last session of the Legislature, it will be perceived, that on the third of December last, a resolve passed, authorizing and requesting the Governor, with the advice of Council, to appoint Agents to present the claim of this Commonwealth against the United States for expenditures during the late war, to the Congress of the United States, or to any department of the government as might be found expedient. In conformity to the authority vested in the Executive by that resolve, Agents were appointed and commissioned, to repair to the seat of government of the United States, for the purpose expressed in the resolve; and the Honorable James Lloyd, and William H. Sumner and Joseph H. Peirce, Esquires, were selected. The two former gentlemen, with as little delay as possible, proceeded to the city of Washington; the latter gentleman remained in Boston, and has been occasionally employed in selecting and furnishing documents to elucidate the principles upon which our claims are founded, and to arrange the component parts of the account under specific

heads, as required by the department of war. The course pursued by the Commissioners, and the result of their mission, you will learn more distinctly by referring to their correspondence with the acting Secretary of War, which the Secretary of the Commonwealth will lay before you.

A few items of our account as exhibited against the United States by the Commissioners were considered by the Executive as coming within the purview of existing laws, and eleven thousand dollars have been remitted to me by the war department on account; which sum I immediately placed in the hands of the Treasurer of the Commonwealth, where it awaits the order of the Legislature.

Since the last sitting of the Legislature, it has been ascertained that a considerable balance of arms is due to this State, by virtue of the act of Congress passed in April 1808, for arming the whole body of the militia While our Commissioners were at the seat of government they suggested to the acting Secretary of War a proposition for transferring to the United States a number of muskets, the property of the Commonwealth, and now in its arsenals, equal to the balance due to the State from the appropriation of the abovementioned act of April 1808, to be reconveyed to the State as its balance of arms due at the close of the last year. This proposition, it is understood, would have been acceded to by the Executive of the United States, and payment made for the arms at the last contract price of arms manufactured for the service of the United States, had the powers of the Commissioners been competent to that object. It rests with you, gentlemen, to authorize, at any future time, a commutation of any portion of the arms now in our arsenals, agreeably to the abovementioned suggestion, or otherwise, as you may judge expedient.

The resolve of the twelfth of December last, authorizing and requesting the Governor, with the advice of Council, to appoint agents for erecting a military arsenal at Cambridge and a larboratory in Boston; and the resolve of the thirteenth of the same month, authorizing the appointment of three persons to consider the subject of the State prison at large, have severally been attended to, and the agents duly appointed. The arsenal and larboratory have been contracted for, and are in a suitable state of progression.

A report from the Commissioners employed to inquire into the mode of governing the Pennsylvania penitentiary and

other institutions of a similar nature, and to consider at large the subject of the State prison, and to report any improvements which can be made in the government, organization or enlargement of that establishment; together with a communication from the Directors of that institution, will be laid before you by the Secretary. The importance of that benevolent and humane institution has always been highly appreciated by the government of the Commonwealth; and from the increasing population of the State, and from a variety of other causes, which the several communications now to be submitted to you will disclose, it is daily assuming a deeper interest. Such are my views of the importance, and indeed necessity, of further improvements in the interior arrangements and management of that institution, in order to the attainment of the beneficient designs which dictated its establishment, both as a place of mitigated punishment, and as a penitentiary, that I feel it to be my duty specially to invite your deliberate attention to this weighty concern.

Since the last session, I have received a letter from the Governor of the State of New-Hampshire, together with a resolve of the Legislature of that State, suggesting a modification of the law of this State relative to the inspection of provisions. Within the same period, I have received from the Governor of North-Carolina a letter, accompanying a proposition of the Legislature of that State, for amending the constitution of the United States. These several communications will be laid before you, with other documents, by the Secretary.

Accept, gentlemen, my assurances of the highest respect, and of my readiness to concur with you in all your efforts to promote the honor and happiness of Massachusetts.

J. BROOKS.

Council Chamber, May 31, 1817.

ANSWER OF THE SENATE.

May it please your Excellency,

THE Senate of Massachusetts are deeply impressed with those interesting recollections, so natural and suitable to the time and the occasion, to which your Excellency has been pleased to recur. In passing in review that long train of patriots, statesmen and heroes of our revolution, which forms so affecting a part of the mediations of the moment, while on the one hand, we have reason to lament the many of whom death has bereaved us, on the other we have cause of joy and of thankfulness, that a few of them yet remain, full of years and of honors, the lights, the guides, and the ornaments of their country.

We coincide with your Excellency in the remark, that the annals of our own country "open various and prolific sources of instruction to the legislator, and of proud satisfaction to the American patriot." The monuments of their fathers should be the studies of our statesmen. Their principles, their manners, their institutions, their zeal for civil and religious liberty; the readiness with which they obeyed all requisitions of just authority; the fearlessness with which they resisted every attempt at oppression; their unshaken adherence to their constitutional rights, and the steady watchfulness with which they guarded those essential principles on which political freedom depends, not only in turbulent and tempestuous times, but also in those more dangerous, because more enervating seasons of occasional peace and apparent prosperity, are lessons of wisdom, which it well becomes their posterity to engrave upon their hearts, and in political relations, to make the rules of their lives.

The Senate of Massachusetts realize, in common with your Excellency, the propitiousness of the present period

for impartial inquiries into the great interests of the Commonwealth. It will be not less their happiness than it will be their duty, to co-operate with your Excellency, and with the other branch of the Legislature, in "suggesting and perfecting any public improvements, of which the Commonwealth may be susceptible." And in fulfilling this duty, the outline traced by your Excellency, will constitute the chief ground of their inquiries, not only on account of the authority from which it has proceeded, but on account of the completeness by which it is characterized.

It is with great satisfaction that the Senate of Massachusetts perceive the wide space, which the interests of agriculture occupy in the mind, and in the communication of your Excellency. This pursuit, at all times an object of the care and affections of the Legislature of Massachusetts, has, at the present, peculiar claims on its attention and solicitude. While speculation is opening to our citizens opportunities of new settlements in distant wildernesses, and, by delusive tales of milder climates and unexampled products, is seducing the unsettled part of our population to establishments in other regions, whatever has a tendency to meliorate the condition of our soil, to counteract, or to compensate, any inauspiciousness of our climate, to increase the quantity of our products, or encourage such as are best suited to nourish, on a small territory, a comparatively large population, are objects worthy of the most profound and anxious thought, and of the most liberal patronage of a wise Legislature. The interests of commerce and manufactures are inseparably connected with those of agriculture, and we entirely coincide in the opinion of your Excellency, that whatever tends to promote the permanent prosperity of one of these pursuits cannot but advantageously affect the advancement of the others.

The Senate of Massachusetts, with great cordiality, join your Excellency in those testimonies of respect and attachment toward the Commonwealth of Massachusetts, which your Excellency has been pleased to express. We recognize the greatness of our obligations to its constitution and laws, and the intimate connexion between their continuance in purity and vigor, and the preservation of our civil and religious rights, and of "whatever is most dear to our affections in domestic life." And it will ever be the anxious solicitude of the Senate of Massachusetts "to preserve the

solidity and the strength, and to maintain the erect attitude" of this pillar of our safety, not only because, under its shadow, will be found the best security for our rights, liberties, and privileges, but because in this way, we shall best support that "vast and lofty superstructure" which the system of national government extends over us.

The various objects of particular concern, which your Excellency has been pleased to lay before us, shall receive all that attention to which they are entitled, both from their nature and from the recommendation of your Excellency; with whom it will ever give pleasure to the Senate to cooperate in every effort which has a tendency "to promote the honor and happiness of Massachusetts."

ANSWER

OF THE

HOUSE OF REPRESENTATIVES.

May it please your Excellency,

THE House of Representatives tender to your Excellency their congratulations upon the return of the anniversary of our General Election, and upon the commencement of a new political year, under circumstances so auspicious to the welfare and happiness of the people of the Commonwealth.

The return of this anniversary recals the leading events of our history, the contemplation of which furnishes abundant cause for patriotic and exulting emotions. With a few occasional and temporary exceptions of national prosperity and of striking examples of virtue and patriotism, the history of other countries exhibits their people sunk in ignorance, debased by slavery, oppressed by misfortunes, or stained by crimes; while that of our own presents the grateful and singular spectacle of a people, which during its whole existence of nearly two centuries, by its intelligence, its morals, its principles of freedom, and love of justice, has held on its course to opulence and power, unchecked by any signal calamity, and unsullied by any gross departure from national rectitude. We look back with gratitude and proud satisfaction to the history of our forefathers, to "whose character and manners, political and religious principles, and literary institutions" we trace, (under Providence) the source of that unexampled prosperity which has marked our conditions, of that civil and religious freedom, which so peculiarly distinguishes our country. Their just and enlightened views of government and its objects, their zeal for religion, their stern morality and love of literature, were the only bonds which could have held together their newly form-

ed associations. Their principles gradually accommodating themselves to the changes in the situation of the country, and to the augmentation of its population, have formed the habits of our people, and become the guide and standard of social and political opinions. They have stamped a distinct character upon our nation, have given shape to, and have embodied themselves in our constitution, in which they are fixed as moral and political landmarks, and are publicly consecrated by our oaths.

To some, our political constitutions appear inefficient and imbecile; others deduce the power and prosperiry of the nation from its form of government; they equally overlook the deep and distant sources whence the principles of our government have been drawn, and how intimately they are incorporated and combined with the fabric of our society. A government cannot be weak which has continued unchanged, during the convulsions which for twenty-five years have agitated mankind, and which have modified, distorted or overwhelmed almost every government of the old world; nor can the the prosperity of that country depend wholly upon its form of government which almost without any visible political constitution, attempted and achieved its liberation from the authority of a powerful sovereign, for an infringement of its privileges; a recollection of the events and circumstances of the early history of our country, so grateful to our national feelings, is essential to the knowledge of the character of our people, of the causes of their success, and the nature of their civil institutions; and this knowledge will teach men, that the power of that government cannot long be perverted to promote the selfish purposes of a few, which has its origin, and derives its force from the habits and opinions, the interest and the will of a whole people.

To Massachusetts, which by its early efforts and constant example has contributed so essentially to form the character and fix the establishments of the nation, and which by the maintenance of its "political, religious and moral institutions," secures to us more immediately the enjoyment of our dearest rights, we yield both from affection and duty to our first fealty and homage.

The House of Representatives see with satisfaction the people quitting with alacrity those hazardous and precarious pursuits in which a state of war had compelled them to engage, and joyfully resume their habits of peaceful and regu-

lar industry, so conducive to their interest and congenial to their character and tastes. The general state of tranquillity and repose is highly propitious to the enjoyment of our rights as citizens, and the performance of our duties as legislators. Among the great and leading objects which may claim the attention of the Legislature, we recognize, with your Excellency, the agriculture of the State, which fixes its wealth to the soil and furnishes subsistence to the people—the arts and manufactures, which assist all by their productions, and aid in the accumulation of capital in the State; and commerce, which subserves the interest of all classes, by facilitating the exchange of commodities, and without the aid of which, agriculture, the arts and manufactures, must languish and decline.

Our government, resting wholly in the interest and will of the people, the development and improvement of the intellectual character becomes an object of paramount importance, and is entitled to all the aid which the Legislature can afford. To instruct and enlighten public opinion, is to add power to the State and security to its government.

The subject of the State prison will undoubtedly receive that attention which its importance demands. We shall most readily concur in the adoption of any system, which, to the ordinary means of preventing crimes, by the infliction of public and exemplary punishments, may add that of reclaiming the offender.

The other subjects mentioned in your Excellency's communication to the two Houses, as entitled to the consideration of the Legislature, will receive from the House of Representatives that attention which is due to their importance, and to the recommendation of your Excellency. We tender our assurance of concurring with your Excellency in every effort to promote the welfare and prosperity of the State.

RESOLVES.

JUNE, 1817.

CHAP. I.

Resolve authorizing the Clerk of the county of Essex, to assess the county tax. May 30th, 1817.

Whereas the sum of seventeen thousand five hundred dollars has been granted as a tax on the county of Essex, for the year eighteen hundred and seventeen, and the Circuit Court of Common Pleas, for the Middle Circuit, within and for said county of Essex, at the last March term thereof, omitted to apportion the same upon the several towns in said county;

Resolved, That the Clerk of the Judicial Courts within and for said county of Essex be, and he hereby is authorized and empowered to apportion said sum of seventeen thousand five hundred dollars upon the several towns in said county, and to issue warrants for the collection of the same, in the same manner as the said Court might have done, at the said last March term thereof.

CHAP. II.

Resolve for the pay of the Members of the General Court. June 2d, 1817.

Resolved, That there be allowed and paid out of the treasury of this Commonwealth, to each Member of the Council, Senate, and House of Representatives, two dol-

lars per day, for each and every day's attendance the present political year; and the like sum of two dollars for every ten miles travel from their respective places of abode, to the place of the sitting of the General Court, at each session of the same.

And be it further resolved, That there be paid to the President of the Senate, and the Speaker of the House of Representatives, each, two dollars per day, for each and every day's attendance, over and above their pay as members.

CHAP. III.

Resolve on the petition of the Selectmen of Lincolnville.
June 6th, 1817.

On the petition of the Selectmen of the town of Lincolnville, in the county of Hancock, in behalf of the inhabitants of the said town, praying that the doings of said town, at a meeting holden on the eighth day of May last past, for the choice of town officers, may be made valid, and also praying that the doings and proceedings of the said town and its officers in former years, may be confirmed and rendered valid, notwithstanding the Clerks of said town have in some instances, neglected to make full and perfect records of the administration of the requisite oaths to certain of said officers;

Resolved, For reasons set forth in the petition aforesaid, that the doings of said town, at said meeting, for the choice of officers aforesaid, be, and hereby are made valid in law, to all intents and purposes; and the officers chosen as aforesaid, shall have the same authority as if the said meeting had been held in the month of March or April last past, any thing in the law to the contrary notwithstanding.

And be it further resolved, That the records of said town of Lincolnville be deemed and taken to be as valid and effectual, to all intents and purposes, as if the same had been duly attested and certified by the Town Clerk, and that the proceedings of the said town and its officers, be ratified and confirmed; and the same shall be deemed and taken to be as valid and effectual in all respects, in the same manner as they would have been, had the Clerks of said town, in

all instances, made a full record of the qualifications of the officers aforesaid.

CHAP. IV.

Resolve on the petition of the Selectmen of the towns of Saugus and Lynn, in the county of Essex.
June 6th, 1817.

Resolved, That for reasons set forth in said petition, there be, and hereby is abated of the amount set to the town of Saugus, in the county of Essex, in the tax act passed December fourteenth, eighteen hundred and sixteen, two hundred and thirty-one dollars and thirty-three cents, which was erroneously put to said town of Saugus, instead of being put to the town of Lynn, as its just proportion of the state tax, in the tax act aforesaid; and that the Treasurer of this Commonwealth be, and hereby is authorized and directed to issue his warrant, directed to the Assessors of the town of Lynn, requiring and directing said Assessors to assess upon the polls and estates within said town of Lynn, the sum of two hundred and thirty-one dollars and thirty-three cents, agreeably to the provisions of said tax act, in addition to the sum for the assessment and collection of which, a warrant has already issued.

And be it further resolved, That the Court of Sessions, in the county of Essex, in assessing hereafter the county tax, be, and hereby are authorized and directed to apportion the same on the said towns of Lynn and Saugus, in the proportion of three quarters to Lynn, and one quarter to Saugus, of the whole tax upon both said towns, until a new valuation shall be returned.

CHAP. V.

Resolve in favor of William Stedman. June 6th, 1817.

On the petition of William Stedman, late Clerk of the Judicial Courts for the county of Worcester, setting forth that a balance of monies, belonging to the Commonwealth,

still remains in his hands, and praying for directions as to the disposition of the same.

Resolved, That the said William Stedman be, and he hereby is authorized and directed to pay over to the Treasurer and Receiver General of the Commonwealth, all monies remaining in his hands, belonging to the said Commonwealth, taking his receipt for the same.

CHAP. VI.

Resolve confirming the doings of the town of Sebec. June 9th, 1817.

On the petition of the Selectmen of the town of Sebec, in the county of Penobscot, representing, that at the first meeting of the inhabitants of said town, a part of them were not warned to attend; and that the requisite oath of the Town Clerk of said town, taken by him, was not duly recorded; Therefore,

Resolved, For reasons set forth in said petition, that the doings and the records of said town, and the doings of the officers thereof, are hereby confirmed; and in the above particulars made good and valid, to every intent and purpose, any supposed defects therein notwithstanding.

CHAP. VII.

Resolve appointing Benjamin Russell, Printer of this Commonwealth, for one year. June 9th, 1817.

On the petition of Benjamin Russell, of Boston, in the county of Suffolk, praying to be appointed and employed as printer to the General Court, the ensuing year;

Resolved, That the said Benjamin Russell, for reasons set forth in his said petition, be, and he hereby is appointed the printer of this Commonwealth, for one year from the fourth day of June instant, to be fully completed and ended, and until another state printer shall be appointed in his stead: *Provided*, he the said Russell, shall do and perform, or cause to be done and performed, the printing in a faithful and workmanlike manner, on good and suitable

paper, and with all reasonable despatch, and to the acceptance of the officers, for whom the work may be done.

Be it further resolved, That the compensation which shall and may be allowed and made to the said Benjamin Russell, for printing and materials furnished as aforesaid, shall be such as the Committee on Accounts may deem to be just and reasonable; they the said Committee on Accounts, taking into consideration and comparison, the pay and allowance heretofore made for similar and like services rendered, and articles furnished by printers to the General Court, for several years last past.

CHAP. VIII.

Resolve on the petition of Nathaniel Stone and William Young, late Assessors of the town of Ward.
June 9th, 1817.

On the petition of Nathaniel Stone and William Young, Junior, Assessors of the town of Ward, in the county of Worcester, for the year of our Lord one thousand eight hundred and fifteen, praying that Zebulon Cary, Abijah Craig, Junior, and Daniel Dodge, Junior, the present Assessors of said town of Ward, may be authorized and empowered to issue their warrant for the collection of that part of the taxes assessed by the said Assessors of the said town of Ward, for the year of our Lord one thousand eight hundred and fifteen, which still remains uncollected;

Resolved, For reasons set forth in said petition that the said Zebulon Cary, Abijah Craig, Junior, and Daniel Dodge, Junior, the present Assessors of said town of Ward, be, and they are hereby authorized and empowered to issue their warrant to the collector or collectors of taxes, for the said town of Ward, for the year of our Lord one thousand eight hundred and fifteen, authorizing and directing him or them, to collect, in the manner prescribed by law, whatever remains due and unpaid upon the lists of assessment for the year aforesaid, and to pay over the same according to the directions of the law.

CHAP. IX.

Resolve on the petition of the Agents of the towns of Newcastle and Edgecombe. June 9th, 1817.

On the petition of the Agent of the town of Edgecombe, and of the Selectmen thereof, and of the Agent of the town of Newcastle, and the Selectmen thereof, praying that Commissioners may be appointed, to establish the dividing line between those towns;

Resolved, That Ezekiel Thompson, Esquire, of Lisbon, Abel Merril, Esquire, of Topsham, and Samuel Coney, Esquire, of Augusta, be appointed Commissioners, at the joint expense of the said towns of Newcastle and Edgecombe respectively, to establish the dividing line between those towns, being first sworn to the faithful discharge of their trust, and giving seasonable notice to all parties concerned, of the time and the place of their meeting; and it shall also be the duty of said Commissioners, to describe the said boundary line by course and distance; to set up and notice in their return, suitable monuments, with a view to the permanent establishment of the said boundary line, and to make out triplicate returns of their doings, two copies of which shall be for the use of the said towns of Newcastle and Edgecombe, which shall be forthwith recorded in the town books, by the Clerks of those towns, respectively; and the other copy shall be forwarded immediately to the office of the Secretary of this Commonwealth.

CHAP. X.

Resolve authorizing the Secretary to purchase, for the use of the Commonwealth, fifty additional copies of Term Reports. June 10th, 1817.

Resolved, That the Secretary be authorized and directed to purchase, for the use of the Commonwealth, fifty copies of each volume of the Reports of Cases determined in the Supreme Judicial Court of this Commonwealth, in addition to the number heretofore ordered; *provided*, the same can be had for a sum not exceeding two dollars and twenty-five cents a volume.

And be it further resolved, That the Secretary be directed to purchase, for the Commonwealth, fifty copies of the thirteenth volume of said Reports; *provided,* they can be procured for the sum, per volume, which he is authorized as above to give for the other volumes; and his Excellency the Governor, is requested to issue his warrant, with the advice and consent of the Council, on the public treasury, for the payment of said volumes accordingly.

CHAP. XI.

Resolve on the petition of John Carlton, Junior, a wounded soldier. June 10th, 1817.

On the petition of John Carlton, Junior, of Frankfort, praying a further allowance, in consequence of having a ball shot through his thigh, while doing duty in the detached militia, at Hamden, during the late war;

Resolved, That there be allowed and paid out of the treasury of this Commonwealth, unto John Carlton, Junior, the further sum of thirty dollars for one year, commencing on the first day of October, eighteen hundred and sixteen.

CHAP. XII.

Resolve authorizing the Agent of Catharine Badger to sell lands. June 10th, 1817.

On the petition of Catharine Badger, of the city of New York, widow, Guardian of Mary Badger and George Badger, minors, children of Richard Salstonstall Badger, late of New York, aforesaid, merchant, deceased, praying that she or some other suitable person may be authorized to make sale of certain real estate, situate in the county of Hancock;

Resolved, For reasons set forth in said petition, that Leverett Salstonstall, of Salem, in the county of Essex, Esquire, be, and he is hereby authorized and empowered to sell and convey in fee simple, at public or private sale, the real estate described in said petition, and to make, exe-

cute and deliver a good and sufficient deed of the same: *Provided*, that the said Leverett Salstonstall first give bond, with sufficient sureties, to the Judge of Probate, for the county of Hancock, conditioned that he will account for, and make payment of the proceeds of the said sale, agreeably to the rules of law.

CHAP. XIII.

Resolve on the petition of Clarissa Gilbert, a soldier's widow. June 10th, 1817.

On the petition of Clarissa Gilbert, widow of the late Charles Gilbert, of New Bedford, who was shot while doing duty in the detached militia, in August, 1814;

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the treasury of this Commonwealth, unto the said Clarissa Gilbert, for the use of herself and her two children, the sum of fifty dollars, annually, for four years, to commence the twelfth of August, 1814.

CHAP. XIV.

Resolve authorizing one of the Justices of the Supreme Judicial Court to hold a Court for Barnstable and Dukes' County. June 11th, 1817.

Whereas it is inconvenient for three or more of the Justices of the Supreme Judicial Court to attend at the term of said Court, next to be holden at Barnstable, for the counties of Barnstable and Dukes' County; Therefore,

Resolved, That the next term of said Court may be holden by any one of the Justices of the same; and should any business come before the said Court, so to be holden as aforesaid, which by law requires more than one of the Justices of said Court, to hear, try and determine the same, may be heard, tried and determined by the Court at the next law term, to be holden within and for the counties of Plymouth and Bristol, unless the parties thereto shall agree to have the same continued to the next term of said Court, to be holden at Barnstable, for the counties of Barnstable and Dukes' County.

CHAP. XV.

Resolve in favor of Currence Young, widow of William Young, one of Treasurer Skinner's bondsmen. June 11th, 1817.

On the petition of Currence Young, of Williamstown, in the county of Berkshire, widow of William Young, Esquire, late of said Williamstown, deceased, stating that the said William Young was one of the sureties of Thompson J. Skinner, late Treasurer of the Commonwealth, and that a judgment has been rendered in favor of the Commonwealth against the said William, for the default of said Treasurer Skinner; that the Administrator on the estate of the said William, deceased, on the fifteenth day of March last, sold all the real estate of said William, at auction, and that the said Currence bid off the reversion in her dower, and the other two third parts of the dwelling-house, for the sum of two hundred dollars, and has given her note, with security, to the Administrator for the same; and that she is left with a family of children, and without any other property than her right of dower in said estate; that she is unable to pay to the Commonwealth the said sum of two hundred dollars, and therefore praying the Legislature to remit the same to her;

Resolved, For reasons set forth in said petition, that the Administrator on the estate of William Young, Esquire, late of Williamstown, deceased, be, and hereby is authorized to remit to said Currence Young, the payment of the said note for two hundred dollars, executed by her to said Administrator, as set forth in said petition, and to cancel and give up the same to her; and that, in the settlement of the estate of the said William Young, deceased, the Commonwealth will make no claim upon the said Administrator, for the amount of said note.

CHAP. XVI.

Resolve granting twelve thousand dollars for the use of the State Prison. June 11th, 1817.

Resolved, That there be allowed and paid out of the public treasury, for the use of the State Prison, the sum

of twelve thousand dollars, to be drawn from the treasury by the Warden of said prison, in such sums as the Directors shall from time to time direct; and his Excellency the Governor, with the advice of Council, is hereby requested to draw his warrant on the Treasurer for the said sum accordingly.

CHAP. XVII.

Resolve authorizing the Treasurer to borrow money. June 11th, 1817.

Resolved, That the Treasurer of this Commonwealth be, and he is hereby authorized and directed to borrow of any of the banks in the town of Boston, in addition to the sum now borrowed, any sum not exceeding fifty thousand dollars, that may at any time within the present year, be necessary for the payment of the ordinary demands made on the treasury; and that he repay any sum he may borrow, as soon as money sufficient for that purpose, and not otherwise appropriated, shall be received into the treasury.

CHAP. XVIII.

Resolve for the payment of forty-one dollars to the Honorable Lothrop Lewis. June 11th, 1817.

Resolved, That there be allowed and paid out of the treasury of this Commonwealth, to the Honorable Lothrop Lewis, forty-one dollars, in full compensation for himself and his chainmen, in surveying and appraising a tract of land in the town of Brownfield, in the county of Oxford, by virtue of a resolve of the Legislature, passed on the eighteenth day of June, eighteen hundred and sixteen.

CHAP. XIX.

Resolve empowering George Sullivan, as Guardian of David Pierce's children, to perform certain contracts.
June 11th, 1817.

On the petition of George Sullivan, of Boston, in the county of Suffolk, Esquire, Guardian of the minor children of David Pierce, late of said Boston, deceased;

Resolved, That the said Sullivan, in his said capacity, be, and he hereby is authorized and empowered, in behalf of his said wards, to contract for, and receive a conveyance to his said wards, in common with the other children of the said David Pierce, of all the right, title and interest, which their mother, Rebecca Ruggles, and her husband, have in and to a certain lot of land and its appurtenances, situate on the Boston Pier, or Long wharf, so called, and formerly the property of the said David Pierce, and thereon to cause to be erected a good and substantial store; and for the purposes aforesaid, to make and execute any contracts, agreements, or covenants, whether under seal or otherwise, the approbation thereto, in writing, of the Judge of Probate for the said county of Suffolk, being first had and obtained. And the said Judge of Probate is hereby authorized to prescribe and appoint such terms, conditions and restrictions to, and upon the said Sullivan, in the exercise of the authority herein before granted, as he, in his discretion shall deem expedient.

CHAP. XX.

Resolve on the petition of Samuel Honnet and others.

Upon the petition of Samuel Honnet, Recall Degrass, and others, Indian inhabitants of Christian Town, so called, in Dukes' County, praying for relief from certain distresses, as stated in their petition;

Resolved, That Kilborn Whitman, of Pembroke, Esquire, be, and he hereby is appointed an Agent for the purpose of proceeding to said Christian Town, with power to examine witnesses respecting the subjects of complaint, as

set forth in said petition, and to make report of his proceedings at the next session of the General Court; said Agent to give previous notice to the Guardians of said Indians, of the place where, and of the time when, he shall make the examination.

CHAP. XXI.

Resolve on the petition of Archelaus Lewis and others, authorizing the collection of back taxes, in Westbrook. June 12th, 1817.

On the petition of Archelaus Lewis, Thomas Slemons, and Peter Lunt, a Committee of the first Congregational parish in Westbrook;

Resolved, For reasons set forth in said petition, that the present Assessors of said parish be, and they hereby are authorized and empowered to issue a warrant or warrants, to Isaac Sawyer, late Collector of said parish, in due form of law, to collect all parish taxes due and unpaid on his tax bills, from the year of our Lord one thousand seven hundred and ninety-five, to the year one thousand eight hundred and fourteen inclusive.

CHAP. XXII.

Resolve confirming the records and doings of the town of Foxcroft. June 12th, 1817.

On the petition of the Selectmen of the town of Foxcroft, in the county of Penobscot, representing, that at the first meeting of the inhabitants of said town, a part of them were not warned to attend; that lists of voters have not been uniformly posted according to law, and that the oath of certain town officers of said town, taken before Justices of Peace, and otherwise, have not been recorded by the Town Clerk;

Resolved, For reasons set forth in said petition, that the records of the said town of Foxcroft, in the above particulars, be deemed and taken to be as good and valid to all intents and purposes, as if the said town officers had proceeded according to the laws regulating such proceedings;

and that the said records of said town, and the said doings of the said officers, are hereby confirmed, and in all respects made effectual, notwithstanding any of the above supposed defects.

CHAP. XXIII.

Resolve authorizing Mary Mead, of Waltham, to execute a deed. June 12th, 1817.

On the petition of Mary Mead, Administratrix of the estate of Jacob Mead, late of Waltham, in the county of Middlesex, deceased, setting forth that the said Jacob Mead, in his lifetime, did agree with Theodore Lyman, of the same Waltham, Esquire, to convey to the said Lyman about two acres of land, described in said petition, being part of the estate of said deceased, but died before a deed could be made and executed; praying that she may be authorized to make a good and valid deed of the same, to the said Theodore Lyman;

Resolved, For reasons set forth in said petition, that the said Mary Mead, as she is Administratrix of the estate of the said Jacob Mead, deceased, be, and she is hereby authorized and empowered to execute a good and sufficient deed to the said Theodore Lyman, of the said land, being part of the estate of the said deceased, situate in said Waltham, bounded westerly, northerly, and easterly on lands of the said Lyman, and southerly on other lands of said deceased; and such deed, so made and executed, shall be good and valid in law, to convey all the right and interest which the heirs at law of the said Jacob Mead, may have in the same, as if the said deed had been executed by the said Mead in his lifetime, pursuant to said agreement: *Provided nevertheless*, that previously to the delivery of said deed, the said Lyman shall pay unto the said Mary Mead, as Administratrix of the estate of the said Jacob Mead, deceased, to be accounted for by the said Mary with the Judge of Probate for the said county of Middlesex, the amount of the purchase money which was agreed upon by and between the said Theodore Lyman and the said Jacob Mead, in the lifetime of the said Jacob: *Provided also*, that the said Mary shall first give bond, with sufficient

surety, to the Judge of Probate of said county, to account and pay over to the heirs of the said Jacob, deceased, the full amount of the purchase aforesaid, with legal interest thereon, when thereto lawfully required.

CHAP. XXIV.

Resolve to ascertain the number of deaf and dumb persons, throughout the state. June 12, 1817.

Resolved, That the Selectmen of the several towns, and the Assessors of plantations in this Commonwealth, be required to ascertain the number of deaf and dumb persons within their respective towns and plantations, and report the same to the Secretary of this Commonwealth, on or before the first Wednesday of the next session of this General Court; specifying the age and sex of such persons, and their situation, and that of their near relatives, in point of property. And the Secretary of this Commonwealth is hereby ordered to cause to be printed, a sufficient number of this resolve, and to transmit the same, as soon as may be, to the Selectmen of the several towns, and the Assessors of plantations, in this Commonwealth; and to make report to this Legislature, of all returns which he may receive, in pursuance of this resolve, on or before the second Wednesday of the next session of the present General Court.

And be it further resolved, That the Secretary of this Commonwealth cause to be published, this resolve, in all the newspapers in which the laws of this Commonwealth are printed, six weeks successively, prior to the first Wednesday of the next session of the General Court.

CHAP. XXV.

Resolve on the memorial of the Trustees of the Massachusetts General Hospital. June 12th, 1817.

Resolved, That the stone to be employed in the erection of the Massachusetts General Hospital, shall be hammered and fitted for use, so far as the same can be done, by the convicts at the state prison of this Commonwealth, in such

manner as the Trustees of said institution, for the time being, or their Agent, may request, free of expense to said corporation, as soon as may be, after such stone shall be delivered at said prison wharf, for that purpose: *Provided*, that nothing herein contained, shall be so construed as to prevent or retard the fulfilment of any existing contract for stone work, with any other person or persons whatever. *And provided also*, that the materials to be worked, shall be delivered free of expense to the Commonwealth, at such part of the prison limits as the Warden may direct, and removed from thence when directed by the Warden, also free of expense to the state.

CHAP. XXVI.

Resolve authorizing the Selectmen of the town of Solon, in their said capacity, to sell land. June 12th, 1817.

On the petition of the Selectmen of the town of Solon;

Resolved, That the said Selectmen, for the time being, be, and they are hereby authorized to sell and convey by deed of sale, duly executed, all the right and title which the inhabitants of the said town of Solon have in a lot of land, which was reserved by the Commonwealth for the use of the ministry in said town: *Provided*, the said Selectmen shall forthwith thereafter, purchase another lot of land in said town, in their estimation of equal value at least with the lot sold as aforesaid, and in a situation in said town more convenient; a deed of which land shall be taken in the name of the inhabitants thereof, for the use of the ministry in said town, duly executed and recorded.

CHAP. XXVII.

Resolve on the petition of Jonathan D. Weston. June 12th, 1817.

Resolved, For reasons set forth in the said petition, that he Judge of Probate for the county of Washington, be, and he is hereby authorized to allow a further time, not exceeding six months from the seventh day of June instant, to the

creditors of the estate of John L. B. Green, deceased, to bring in their claims before Commissioners of insolvency on said estate; and that the report of any former Commissioners, on said estate, be committed to the same, or any two of the same, or to other Commissioners, to be appointed by said Judge of Probate, for further examination, alterations and allowance, according to law, notwithstanding the expiration of the term of eighteen months from the issuing of the former commission, any law to the contrary notwithstanding.

CHAP. XXVIII.

Resolve discharging Samuel Fairbanks from gaol.
June 12th, 1817.

On the petition of Samuel Fairbanks, of Oakham, in the county of Worcester, praying that he may be discharged from a judgment in favor of the Commonwealth, rendered against him by the Circuit Court of Common Pleas, holden at Worcester, within and for the county of Worcester, on the second Monday of December last past, and a warrant of distress which issued on said judgment, by which the said Samuel Fairbanks is now imprisoned in the common gaol in the county of Worcester: And also from a sentence to pay a fine of twenty-five dollars and costs, rendered against him by said Circuit Court of Common Pleas, at the term thereof holden at Worcester, on the second Monday of March last past;

Resolved, For reasons set forth in said petition, that the said Samuel Fairbanks be, and he hereby is discharged and released from the judgment and warrant of distress aforesaid, and from the payment of said fine and costs. And the keeper of the gaol in said county of Worcester, is hereby authorized and empowered to discharge the said Samuel Fairbanks from his imprisonment for either of the causes aforesaid: *Provided however*, that the Commonwealth shall not be subject to any costs or expense which may have accrued for the support of the said Samuel Fairbanks, during his imprisonment therein.

CHAP. XXIX.

Resolve granting one thousand dollars to Jeremiah Bailey and Benjamin Orr, Esquires. June 12th, 1817.

Resolved, That there be granted to Jeremiah Bailey and Benjamin Orr, Esquires, one thousand dollars, on account of their services as Commissioners, under a resolve of this Commonwealth, passed the twenty-fifth day of February, in the year of our Lord one thousand eight hundred and thirteen, and a further resolve of the said Commonwealth, passed the tenth day of February, in the year of our Lord one thousand eight hundred and sixteen: and his Excellency the Governor, is requested to draw his warrant on the Treasurer for the same.

CHAP. XXX.

Resolve extending the time for quieting settlers in Jefferson, and six other towns. June 12th, 1817.

On the petition of the Selectmen of the town of Jefferson;

Resolved, For reasons set forth in said petition, that a further time of one year, from and after the twentieth day of May, now last past, be, and hereby is allowed to the settlers in the towns in Jefferson, Boothbay, Bristol, Edgecombe, Newcastle, Nobleborough, and Waldoborough, who have not yet been quieted in their titles, under and agreeably to the terms of a resolve of this Commonwealth, passed on the twenty-fifth day of February, in the year of our Lord one thousand eight hundred and thirteen, and a further resolve on the same subject, passed on the tenth day of February, in the year of our Lord one thousand eight hundred and sixteen, to make payment for their lands therein mentioned; and the powers and duties of the Commissioners, appointed under the resolve first abovementioned, are hereby prolonged until the twentieth day of May next, to every purpose, and on the same terms of said resolve. The said Commissioners are hereby allowed to take from the Land Office, the plans of said towns lodged

in said office by them, for the purpose of completing the objects of their commission, to be returned to said office, when they make their final report. And it shall be the duty of said Commissioners to make their final return required by said resolve, to the first session of the next General Court.

CHAP. XXXI.

Resolve authorizing the Commissioners for the sale of public lands, in the District of Maine, to lay out a road to the Canada line. June 12th, 1817.

Resolved, That the Commissioners for the sale and settlement of the public lands, in the District of Maine, be, and they are hereby authorized and enjoined, forthwith to cause to opened and completed, a suitable road, leading from the lands known by the name of "Bingham's Kennebec purchase," to the Canada line, and in the direction marked out upon a plan made by Charles Turner, Esquire, and others, with such occasional variations as the natural obstructions, or local convenience may justify and require; and for this purpose, the Governor be, and he hereby is authorized, by and with the advice of the Council, to draw his warrant upon the Treasurer of this Commonwealth, for any sum or sums, necessary for the completing this object, not exceeding five thousand dollars. And the said Commissioners are also authorized and directed, to take such measures as they may find necessary, for the purpose of obtaining a road adjoining that contemplated by this resolve, to be made through the said lands, known by the name of "Bingham's Kennebec purchase," under, and by virtue of the powers vested by law, in the County Courts for the counties respectively, of Oxford and Somerset, unless the persons interested in the said "Bingham's Kennebec purchase," shall adopt forthwith, measures satisfactory to the said Commissioners, for this object.

CHAP. XXXII.

Resolve granting taxes to the counties of Bristol and Norfolk. June 12th, 1817.

Whereas the Clerks of the Court of Sessions of the counties of Bristol and Norfolk, have exhibited estimates made by said Courts, of the sums necessary to be raised, for building new gaols in said counties;

Resolved, That the sums annexed to the counties, contained in the following schedule, be, and the same are hereby granted as a tax for each county respectively, to be apportioned, assessed, paid, collected, and applied, for the purposes aforesaid, according to law, viz.:

County of Bristol, six thousand dollars, - -	$6000 00
County of Norfolk, three thousand dollars, - -	3000 00

CHAP. XXXIII.

Resolve granting taxes to the counties of Plymouth, Washington, Lincoln, and Dukes' County. June 12th, 1817.

Whereas the Treasurers of the following counties, have laid their accounts before the Legislature, which accounts have been examined and allowed; and whereas the Clerks of the Courts of Sessions for said counties, have exhibited estimates made by said Courts, of the necessary charges which may arise within the said several counties, for the year ensuing, and of the sums necessary, to discharge the debts of said counties;

Resolved, That the sums annexed to the several counties, contained in the following schedule, be, and the same are hereby granted as a tax for each county, respectively, to be apportioned, assessed, paid, collected, and applied, for the purposes aforesaid, according to law, viz.:

County of Plymouth, four thousand dollars,	$4000 00
" " Washington, one thousand six hundred and forty dollars, -	1640 00
" " Lincoln, six thousand and sixty dollars, - - - - - - -	6060 00
" " Dukes' County, eight hundred dollars. - - - - - - -	800 00

CHAP. XXXIV.

Resolve confirming the records of Plantation Number three, in sixth range. June 12th, 1817.

On the petition of the Plantation Number three, in sixth range, north of the Waldo Patent, in the county of Penobscot, for confirmation of their records;

Resolved, For reasons set forth in the said petition, that the records of the said plantation, be, and hereby are confirmed and made valid, the informality or defect therein mentioned in said petition notwithstanding; *Provided however,* that this resolve shall not be construed to affect the title to any land, the payment of any tax on a non resident proprietor, or any action now pending in any Judicial Court in this Commonwealth.

CHAP. XXXV.

Resolve making valid the records of the town of Athens. June 13th, 1817.

On the petition of the Selectmen of the town of Athens, in the county of Somerset, praying that the proceedings of said town, in relation to their town records, may be made valid;

Resolved, For reasons set forth in said petition, that the records of said town of Athens, in the cases specified in their said petition, shall be, and hereby are rendered valid in all respects, in the same manner as they would have been, if the Town Clerk had recorded a certificate of the Selectmen's oath, and copies of the valuation of the inhabitants had been filed and lodged in the Town Clerk's office, according to law.

CHAP. XXXVI.

Resolve concerning the nine townships of land on Penobscot River. June 13th, 1817.

The Committee on Eastern Lands, being specially instructed to consider the expediency of opening the sale of

the reserved townships on Penobscot River, or any part thereof, and to report a state of facts, would respectfully submit the following particulars;

The first resolve found touching the said townships was passed February twenty-sixth, seventeen hundred and ninety-six; this created Messrs. Shepard, Dane and Davis, Commissioners, to treat with the Penobscot tribe of Indians, on the subject of their claim to the lands on the river Penobscot, from the head of its tide waters to its source; and another resolve of June sixteenth, the same year, granted the said Commissioners two thousand dollars to meet the peculiar exigencies of the enterprize. On the eighth of August, the same year, (seventeen hundred and ninety-six,) an indenture was executed by the parties, in which it was stipulated, in consideration then paid to the tribe, of blue cloth, one hundred and forty-nine and an half yards; shot, one hundred pounds; powder, one hundred pounds; hats, thirty-six; salt, thirteen bushels; New England rum, one barrel; and corn, one hundred bushels; and a further consideration, then secured to them, of three hundred bushels of corn, fifty pounds of powder, two hundred pounds of shot, and seventy-five yards of blue cloth, for blankets; to be delivered to the tribe at Kenduskeag Stream, yearly, so long as the said tribe should continue a nation, and live within the Commonwealth. The tribe, by Joseph Orono and others, chiefs thereof, conveyed to the state all that tract of land on Penobscot River, and on both sides of said river, beginning near Jonathan Eddy's dwelling house, at Nichols' Rock, and extending up the said river, thirty miles, on a direct line, according to the general course of said river, excepting and reserving, however, to said tribe, all the islands in said river, above Old Town, including said Old Town Island itself. The next year Salem Towne, Esquire, was empowered, by a resolve of June twenty-second, seventeen hundred and ninety-seven, to cause the said lands to be surveyed and laid out into townships, each of six miles square, as near as the land would admit, and to survey the same townships into quarters, a plan of all which he therein was required to return, with particulars, as to the quality of the lands, the situation of streams and waters, the number of settlers at the time of the purchase and the quantum of lands each settler had under improvement. Accordingly, under the direction of said Towne, Messrs. P.

Holland, J. Maynard and J. Chamberlain surveyed the whole, which they divided into nine townships only, and found the whole to contain one hundred and eighty-nine thousand four hundred and twenty-six acres, including two small gores of land, on each side of the Penobscot, lying between the present and other surveys. The townships are also severally surveyed into quarters, and a plan of the whole, dated December twentieth, seventeen hundred and ninety-seven, duly returned. The number of settlers on the nine townships, prior to the purchase in August the year before, was found to be thirty-two in all. In proceeding from north to south, down the Penobscot, the said townships on the westerly side thereof, were numbered from one to five, and on the easterly side from one to four, both on each side inclusive. A resolve of March second, seventeen hundred and ninety-eight, further provided that each of the thirty-two settlers be quieted, by having one hundred acres, so as best to include his improvements, and be least injurious to the adjoining lands, for such considerations as the said Salem Towne, the Commissioner, should determine the same to be worth. It also authorized him to sell said lands at auction, in quantities not exceeding quarter of townships, with a reservation of one hundred acres for schools, fifty acres for the first settled minister, and one hundred acres for the ministry, in each quarter township, and with a restriction that no part should be sold for less than a dollar per acre. The time for his quieting said settlers, was, by resolve of June twenty-second, seventeen hundred and ninety-nine, limited to the first day of June then next following; but by a resolve of June twelfth, eighteen hundred, extended a month longer. After the lapse of twelve years, from the time the Commissioner, General Towne, was first empowered to sell lands in the nine townships, he rendered a detailed statement of the sales he had made, and the considerations received, also of his disbursements and commissions, all which were duly considered by a Legislative Committee of both houses, and an adjustment was concluded. A resolve, as reported by that Committee, was passed March fifth, eighteen hundred and ten, by which the settlement was sanctioned, and the Commissioner, General Towne, was discharged from any further service in the premises.

This settlement developed sundry important facts, as to the quantities sold, the consideration received or secured,

and the persons to whom, and the places where the conveyances are made. They are these:

	Acres.
Of the whole number of acres in the nine townships, which by the foregoing survey and return were found to be	189,426
The Commissioner, General Towne, had sold	27,610½
For the the sum of twenty-five thousand, eight hundred and eighty-four dollars, and fifty-eight cents; thus making the Commonwealth still the proprietor of	161,815½
The sales just mentioned were on both sides of the Penobscot River. On the west side of the river,	
In townships No's. 1, 2 and 3, the Commissioner made no sales.	
In township No. 4, out of its second quarter, he sold to John Southgate	1,500
" " out of its third quarter, he sold to said Southgate	500
" " the residue of this third quar- he sold to Thomas Cobb, being	3,277
" " the whole of the fourth quarter, he sold to Aaron Tufts, being	3,468
In township No. 5, he sold the whole of its second quarter to Joseph Treat	4,415
On the east side of Penobscot River, in townships No. 1 and 2 he made no sales: but	
In township No. 3, he sold out of its second quarter, to Paul Dudley	500
" " out of its third quarter, to John Southgate	1,000
" " the residue of the third quarter and the whole of the fourth quarter he sold to Charles Blanchard and five others, being	11,572
In township No. 4, he sold out of the first quarter to Aaron Forbes	1,000
By virtue of a special resolve of February fifteenth, eighteen hundred and five, he conveyed to Jo-	

seph Innman a lot in No. 4, on the west side of the river	150
The Commissioner made other conveyances, in whole	228½
Making	27,610½

Your Committee would further state, that from the best information received, they are to believe the selling of lands to any others than actual settlers, is injudicious policy; for on the said lands sold to John Southgate, to Thomas Cobb, to Charles Blanchard and others, and to Joseph Treat, few, very few, have settled since the Commonwealth alienated the fee, while numbers of actual settlers, intending to make farms, and ever desirous, as a prevalent principle of the human heart, to get a title to lands they select and settle on, have rather risqued the future humanity of the Commonwealth, by entering on its lands, than to purchase of the non resident proprietors.

As to roads, it is proper to state, that under resolve of June twentieth, eighteen hundred and seven, Charles Turner, Esquire, the next year surveyed and marked a road from the Penobscot, about two miles above the mouth of Sunkhaze Stream, on its course north-eastwardly, seven miles through township Number two, on the east side of the river, towards and unto the east line of Maine. A resolve of February twenty-fifth, eighteen hundred and twelve, authorized the Agents for the sale of Eastern Lands to lay out seven thousand acres, to be located on each side of the road surveyed from Pushaw Stream, near the Penobscot, to the Piscatiquis, in lots, eighty rods wide and one hundred rods back, and to convey the same to make the road fit for travelling in wheel carriages. That part of the road which lies between the Pushaw and the westerly line of the nine townships, (fourteen miles in length,) is already well made; and fifty lots in Number two, on the west side of said Penobscot, have been conveyed to him who has made it.

Your Committee would further add, that Thomas Johnson and fourteen others, had granted to them, by resolve of January twenty-fourth, eighteen hundred and fifteen, eight thousand acres of land, which it is understood they mean to select within the said nine townships, but which they have not yet located. To the Trustees of the Maine Literary

and Theological Institution was granted, by resolve of February fifteenth, eighteen hundred and fifteen, the whole of township Number three, on the west side of Penobscot River, with a reservation however, of two thousand and six hundred acres, to defray the expense of making the road last mentioned. Something has also been done to quiet the settlers on the Commonwealth's lands in the nine townships, since the agency of General Towne was concluded. Pursuant to the petitions of Anna Palmer, Eber Harthorn, Richard Eldridge, Moses Knapp, and some others, resolves have passed the thirteenth of June, eighteen hundred and fourteen, and twelfth of February, eighteen hundred and sixteen, empowering the Agent for the sale of Eastern Lands, to quiet by deed, each of them on one hundred acres, so surveyed as best to include their improvements, and be least injurious to contiguous lands, for such sum as he may judge reasonable, being not less than one, nor more than two dollars by the acre. Little, however, is found to have been done under these resolves, notwithstanding the solicitude, the self location and the increasing improvements by the settlers.

After stating what has been actually granted or conveyed out of the said nine townships, it ought not to be omitted, that of some of the lands therein conveyed, the Commonwealth is again about to become resiezed. Thus, of eleven thousand five hundred and seventy-two acres, sold to Charles Blanchard and others, near two thirds will again become the state's property, when an execution is levied. Purchase monies are also due from others, the payment of which is secured by mortgage of the lands purchased, in failure of which payment, the Commonwealth may become hereafter the proprietor of them.

Your Committee would also beg leave to remind the General Court, that nearly one half of the four townships on the east side of the Penobscot, consists of lands well fitted for improvements or cultivation, some of which is excellent; and that the greater part of the five townships, on the western side of the river, are good. That township Number four, on the west side of the river, was, in eighteen hundred and six, incorporated into a town, by the name of Orono, which bounds on the shire town of the county of Penobscot; and that the whole is very eligibly situated on the Penobscot and other waters. Your Committee, therefore, would ask leave to report the following resolve.

WILLIAM D. WILLIAMSON, *Chairman.*

Resolved, That the Commissioners for the sale of Eastern Lands be, and they are hereby directed to survey and sell any part of the Commonwealth's lands within said nine townships, to actual settlers; *provided*, that not more than five hundred acres be sold to any one person or association, in any one township thereof, and that none be sold for less than one dollar per acre: *Provided also*, that the said Commissioners regulate their conduct and proceedings under this resolve, conformably to the provisions of the act passed February fifteenth, eighteen hundred and sixteen, entitled, "An act for promoting the sale and settlement of the public lands in the District of Maine."

CHAP. XXXVII.

Resolve on the proceedings of the Committee on the Hallowell and Augusta Bank. June 13th, 1817.

The Committee on the Report of the proceedings of the Hallowell and Augusta Bank, report;

That in their opinion, the subject committed to them, cannot be sufficiently investigated at the present session of this General Court, to enable them to report thereon; but they consider it of sufficient importance to require their further and careful attention during the recess of this General Court: they therefore report the following resolve;

Resolved, That the said Committee are hereby authorized and empowered to sit during the recess of this General Court, for the further investigation of the subject to them committed.

CHAP. XXXVIII.

Resolve granting fourteen dollars and eighty-seven cents to Gideon Burt, Esquire, for certain costs paid by him. June 13th, 1817.

On the petition of Gideon Burt, Esquire, of Longmeadow, in the county of Hampden, praying, that a bill of costs paid by him to the Sheriff of the county of Hampden, may be refunded to him;

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the treasury of this Commonwealth, to the said Gideon Burt, the sum of fourteen dollars and eighty-seven cents, being the sum paid by him as aforesaid; and that his Excellency the Governor be requested to draw his warrant on the Treasurer for the same.

CHAP. XXXIX.

Resolve on the petition of Winslow Lewis and others, to be incorporated into a military corps of Sea Fencibles.
June 13th, 1817.

On the petition of Winslow Lewis and others, who are exempted from military duty, praying to be formed into a corps of Sea Fencibles;

Resolved, That his Excellency the Governor, with the advice of Council, be, and he is hereby authorized to raise, by the voluntary enlistment of such Masters and Mates of vessels, as dwell within the town of Boston, or within five miles thereof, as now are, or shall hereafter be exempted from military duty, a corps of Sea Fencibles; and he is hereby authorized to establish such rules for the government and organization of such corps, and to commission such officers as shall be chosen, and to deliver them such ordnance and munitions of war as he may deem expedient. And the Commander in Chief shall have the same power and control over the same corps as he would have had if the members composing the same had not have been exempted by law from military duty.

Be it further resolved, That the officers and members of said corps shall be holden to perform the duties assigned to them, in the same way and manner as is required of other corps, raised, organized and commissioned, conformably to the laws of the United States; and they shall be subject to like punishments, fines and disabilities as such other corps are subject to by law.

CHAP. XL.

Resolve allowing ninety-two dollars to James Lee, of Boston, for loss incurred in the prosecution of Orrin Maynard. June 13th, 1817.

On the petition of James Lee, praying compensation for expenses and loss incurred in the prosecution of Orrin Maynard, for a fraud on him, said Maynard having been fined by the Court in which he was indicted, and having paid a fine of two hundred dollars and costs of prosecution, to the Commonwealth;

Resolved, That there be allowed and paid out of the treasury of this Commonwealth, unto James Lee, of Boston, the sum of ninety-two dollars, for his expenses and loss in the prosecution of said Orrin Maynard; and his Excellency the Governor, with the advice and consent of the Council, is hereby requested and authorized to draw his warrant on the Treasurer for the same.

CHAP. XLI.

Resolve on the petition of James Foord, Register of Deeds for the County of Norfolk. June 13th, 1817.

Resolved, For reasons set forth in said petition, that the Secretary of this Commonwealth be directed to deliver to the Register of Deeds for the county of Norfolk, the first, second and third volumes of the Statute Laws of this Commonwealth, for the use of the said Register and his successors in office.

CHAP. XLII.

Resolve on the petition of David Smith and others. June 13th, 1817.

On the petition of David Smith and others, of the society of Friends or Quakers, composing Bolton monthly meeting;

Resolved, That the Selectmen of Bolton and Berlin, each in their respective towns, be, and they are hereby au-

thorized, annually, to cause to be paid to the Teacher of any school established in the town of Bolton by the society of Friends or Quakers, for the instruction of the children belonging to such society, within the said towns, such sums as may be received into the town treasury from any members of such society, as taxes for the support of public schools: *Provided however*, that every person applying to have his taxes so paid over, shall within such time as shall be prescribed by the said Selectmen, lodge with them, a certificate from the proper officers of the Bolton monthly meetings, that such person is a member of the society of Friends or Quakers, and usually attending on the religious meetings of said society.

CHAP. XLIII.

Resolve for the rebuilding the State Prison wall.
June 13th, 1817.

On the representation of the Directors of the State Prison;

Resolved, That his Excellency the Governor, with the advice and consent of Council, be, and he hereby is authorized to cause that part of the prison wall which has fallen down, to be immediately rebuilt, on the same limits, or extending the same, as the Governor and Council may think best: and also from time to time, as may be found necessary or expedient, to cause any part of said wall, which may appear to require it, to be also rebuilt, on such limits as shall be directed by the Executive of the state; in all cases, as far as practicable, employing the convicts in the construction of the same; and causing the same to be built of the height of twenty feet from the level of the yard. And his Excellency the Governor, with advice of Council, is hereby authorized, from time to time, to draw his warrant on the treasury of this Commonwealth, for such sums of money as may be necessary to carry this resolve into effect.

CHAP. XLIV.

Resolve authorizing the Commissioners of the Land Office to complete a road, on a rout as laid out by Charles Turner, Esquire, from Penobscot River to the public grants, on the eastern line. June 13th, 1817.

Whereas Charles Turner, Junior, Esquire, was, by a resolve of the twentieth of June, eighteen hundred and seven, appointed and authorized to explore and mark out a route, in the most direct course the land would admit, from the Penobscot River to the public grants, located on the eastern line of this Commonwealth; and in conformity to which resolve, the said Turner performed said service at the public expense, marked out the course of said road, and returned a plan thereof; which by a resolve of the twenty-first of January, eighteen hundred and eight, was sanctioned, and ordered to be deposited in the Land Office; and afterwards, by a resolve of the fourteenth of February, eighteen hundred and eleven, ten townships of land were surveyed on said road, by Alexander Greenwood, Esquire, at the public expense, and a plan thereof duly made, and returned into the Land Office;

Resolved, That the Commissioners of the Land Office be, and hereby are authorized and directed to cause said road to be opened and made, in such a manner, as far, and with such alterations, as they shall judge necessary, to promote the settlement of six townships thereon. *And it is further resolved*, that the said Commissioners be, and they hereby are directed to lay out, settle, and sell, six townships of land, already surveyed, or to be surveyed by their direction, on said road; and two townships on the road, to be by them opened through the public lands in the District of Maine, from the north line of "Bingham's Kennebec purchase" to the Canada line, agreeably to a resolve of the eleventh instant; all of which shall be in conformity to the act for promoting the sale and settlement of the public lands in the District of Maine. And whereas the Commonwealth are seized of a number of islands, many of which, are exposed to strip and waste, and none of which are increasing in value, therefore,

Resolved, That said Commissioners be, and they hereby are authorized and directed to expose the same for sale,

and give timely notice thereof, by public advertisement, in such way and manner as they shall judge most promotive of the interest of the Commonwealth; pass deeds thereof to the purchasers, and pay the proceeds into the public treasury; having in all instances, due regard to the settlers actually residing on said islands, and reservations of any particular fisheries, that they may deem of public importance.

And be it further resolved, That his Excellency the Governor be requested to draw his warrants on the Treasurer, in favor of said Commissioners, from time to time, for such sums of money as he, with advice of Council, shall judge necessary, to effect the object of these resolves, and the general purposes of the act aforesaid, not exceeding three thousand dollars, for which said Commissioners shall be accountable.

CHAP. XLV.

Resolve on the memorial of the Board of Health, of the town of Boston. June 13th, 1817.

On the memorial and petition of the Board of Health, of the town of Boston, relative to certain repairs and improvements already made, and to be made, on Rainsford or Hospital Island, belonging to the Commonwealth;

Resolved, That there be allowed and paid out of the treasury of this Commonwealth, to the Board of Health of the town of Boston, the sum of two hundred dollars and sixty-four cents, the same being the amount expended by said board, in repairing the sea-wall on Rainsford or Hostital Island, belonging to the Commonwealth, over and above the sum heretofore granted by the General Court of this Commonwealth, for that purpose.

And be it further resolved, That there be allowed and paid to said Board of Health, for the purpose of building a small wharf and store, to receive damaged and infectious articles, and providing sundry lodging chambers, suitable to accommodate sick persons, on said island, the further sum of three thousand dollars, out of the treasury of this Commonwealth; and his Excellency the Governor, with the consent of Council, is hereby requested to draw his warrant on the Treasurer for the aforesaid sums, accordingly.

CHAP. XLVI.

Resolve authorizing the Commissioners of the Land Office, to take suitable measures to prevent the destruction of timber, in the District of Maine, on the state's land. June 14th, 1817.

Whereas the public lands, in the District of Maine, are exposed to, and actually are trespassed upon, to the great injury of the Commonwealth, an evil example to the citizens, and in a manner to lessen the respect and security for the rights of private property, and there is no existing provision of law for effectually preventing the same, or obtaining a remedy therefor, under the direction and control of the Commissioners of the Land Office;

Be it therefore resolved, That said Commissioners be, and they hereby are directed to publish notifications, in such manner, and at such places, as they shall judge proper, forbidding all persons to cut and take from the Commonwealth's land, in the District of Maine, any timber, of any description whatever, without permission first had and obtained from said Commissioners: And said Commissioners are hereby authorized to appoint some suitable person, in all such places as they shall judge the public interest requires, to superintend and prevent the waste and destruction of said timber, and to collect the evidence of any trespass that may be committed on the public lands aforesaid; and in all instances, where they shall obtain satisfactory proof, that timber found in any situation within the District of Maine, has been cut on the public lands aforesaid, after the passing of this resolve, to cause the same to be seized, at any place within the said district, in the name of the Commonwealth, by such persons as they shall appoint for that purpose, and marked with the letters S.M.; which timber so marked, shall be considered as in the possession of said Commissioners, for the use of the Commonwealth: and they shall, by the Solicitor General, County Attorney, or any other Attorney, where there is no County Attorney, cause the same to be libelled in the Court of Common Pleas, for the district within which, said timber shall be seized, stating the cause of seizure, and praying for a decree thereon in favor of the Commonwealth: And the Justices of said Court, shall have power to hear and determine

the cause by a jury, where there is a claimant, but without one, if, upon proclamation made, no claimant appears; and to decree a disposition of all such timber to the use of the Commonwealth, with costs; and to cause all such proceedings to be had on said process, as shall be necessary to give it full effect to final judgment and execution. And if said libel shall not be supported, restitution of the property shall be decreed to the claimants, without cost. And if any persons shall take any of said timber, after the same is so marked, into his custody, for any other purpose than for safe keeping, or shall cut out, or efface the marks placed thereon, he, or they so offending, shall upon conviction, on indictment or information, filed before any Court of Record proper to try the same, forfeit and pay to the use of the Commonwealth, the sum of ten dollars for each log or piece of timber, so taken or defaced. And said Commissioners may bring actions of trespass, in the name of the Commonwealth, and pursue the same to final judgment and execution, against all persons concerned in cutting or taking said timber, by furnishing cattle, labor, implements, or supplies of any kind; and all shall be considered as principals, and equally liable for damages and costs; *provided always*, that in all cases where the Commissioners shall judge it to be for the interest of the Commonwealth, they may commute with said offenders, and accept pecuniary satisfaction, and discharge any process by them directed.

CHAP. XLVII.

Resolve appointing Commissioners to adjust the late Treasurer's accounts. June 14th, 1817.

Resolved, That the Honorable John Welles and Joseph Bemis, Esquires, Thomas Greenleaf, M. Withington and W. Tudor, junior, Esquires, be Commissioners to examine, liquidate, adjust, and settle, the accounts of John T. Apthorp, Esquire, late Treasurer and Receiver General of this Commonwealth, from the time of his entering on the duties of his office, to the third day of June instant, inclusively; and the said Commissioners are directed and empowered, to deface all notes and due bills, orders, or other obligations, issued

under the authority of this Commonwealth, by any officer thereof, which have been redeemed by the Treasurer, and to make a regular transfer of the books, papers, files, money, security, obligations, and all other property now in the treasury, to the present Treasurer, and report their proceedings to the next session of the General Court.

CHAP. XLVIII.

Resolve on the petition of Joshua Frost, Esquire, refunding him thirteen dollars and thirteen cents. June 14th, 1817.

On the petition of Joshua Frost, Esquire, of Springfield, in the county of Hampden, praying that a bill of costs paid by him, to the Sheriff of the county of Hampden, may be refunded to him;

Resolvĕd, For reasons set forth in said petition, that there be allowed and paid out of the treasury of this Commonwealth, to the said Joshua Frost, the sum of thirteen dollars and thirteen cents, being the sum paid by him as aforesaid; and that his Excellency the Governor be requested to draw his warrant on the Treasurer for the same.

CHAP. XLIX.

Resolve authorizing Joseph Lee, Esquire, to carry into effect a compromise made for a trespass on the Commonwealth's land near Saint-Croix. June 14th, 1817.

The Committee to whom was referred the representation of Joseph Lee, Esquire, one of the Commissioners of Eastern Lands, representing that a trespass, to a large extent, had taken place on the Commonwealth's lands, by the cutting and carrying off quantities of logs and timber—report;

That from the nature of the transaction, and as the remedy was thought to be without the provisions of our laws, he was induced to make a compromise, and to take security for the payment on the first of August next, of nearly fourteen hundred dollars, as an equivalent for said trespass.

Your Committee are of opinion, that the conduct of Joseph Lee, Esquire, was discreet and judicious, and deserves to be ratified by the Legislature. Your Committee are also of opinion, that the depredations which are represented in this communication to exist, demand a further provision by law, that such abuses may in future be prevented; and they report the following resolve and order, which are submitted.

J. WELLES.

Resolved, That Joseph Lee, Esquire, be authorized to carry into effect the compromise which he has made, for a trespass committed on the Commonwealth's lands near the River Saint-Croix, in the District of Maine, in cutting and taking therefrom a quantity of timber, for which trespass, said Lee has taken security for the payment of nearly fourteen hundred dollars, on the first day of August next; and that he lay an account of his doings therein before the Governor and Council, for allowance.

CHAP. L.

Resolve authorizing the Governor to employ such person or persons, as he may think necessary, to prepare and arrange the claims of this Commonwealth against the United States. June 14th, 1817.

The Committee of both Houses, to whom were referred so much of his Excellency's speech as relates to the claims of this Commonwealth against the United States, and that also which relates to the subject of arms, respectfully report;

That pursuant to a resolve passed the third day of December last, his Excellency the Governor, with advice of Council, appointed three Commissioners to present the claims of this Commonwealth against the United States, for military services rendered, and supplies furnished, and expenses incurred during the late war with Great Britain, to the government of the United States. Two of the Commissioners, the Honorable James Lloyd, and William H. Sumner, Esquire, repaired to the seat of government of the United States, as soon as the proper documents could be prepared; and made application to the War Department, and endeavored to procure an examination and adjustment of the claims. With the exception of a few charges which were allowed, and upon which the sum of eleven thousand

dollars were advanced, and is now in the treasury of this Commonwealth, these claims were considered by the Executive, not to be within the provisions of any existing law, and were not examined. At a late period of the session of Congress, "A bill to authorize the settlement and payment of certain claims for the service of the militia," which would have extended to an examination of these claims, was read twice, and was lost on the third reading, as was understood, for want of time duly to consider the subject. The Commissioners then left in the Department of War, an abstract of the account of expenditures, incurred by Massachusetts, in the general defence, as evidence of our claims.

Your Committee have noticed, with great satisfaction, the discretion and ability with which the Commissioners conducted the important business entrusted to them, and the assistance they received from the Senators and Representatives of this Commonwealth.

In the opinion of the Committee, it is expedient to request the Senators and Representatives in Congress, to endeavor to procure the allowance and payment of these claims, at the approaching session of Congress; and your Committee recommend the appropriation of these claims towards the payment of the war debt of the Commonwealth.

In considering the subject of arms, the Committee have learned, that the Commissioners, while at Washington, proposed to the War Department, that Massachusetts should retain, from the arms purchased by her during the war, the number due from the United States, under a law passed by Congress, April twenty-third, eighteen hundred and eight, and should receive an allowance for the same in money; which proposition was accepted: and the Committee think it expedient to authorize his Excellency the Governor to confirm such an arrangement.

Your Committee, therefore, recommend the following resolves, which are respectfully submitted.

MARK LANGDON HILL, *Chairman.*

Resolved, That the Senators of this Commonwealth in Congress, be instructed, and the Representatives requested, to make such application to the government of the United States as they may deem expedient, for the purpose of procuring an adjustment of the claims aforesaid, and all accounts connected therewith, and payment of the balance

due thereon, to this Commonwealth; and to endeavor to procure such provision to be made by law, as they may think necessary for this purpose. And his Excellency the Governor is hereby requested, to cause to be delivered to the Honorable James Lloyd, one of the Representatives from this Commonwealth, such documents and papers, as may be necessary to support the claims aforesaid, for the use of the Senators and Representatives aforesaid.

Resolved, That his Excellency the Governor be, and he hereby is authorized and requested, to employ any person or persons (if he shall think necessary) to prepare and arrange the claims aforesaid, and the evidence and documents belonging to the same.

Resolved, That the sum of eleven thousand dollars already received, and the money that may hereafter be received from the government of the United States, on account of the claims aforesaid, be appropriated to the payment of the war debt, or loans made to defray expenses incurred by the Commonwealth, during the late war; and the Treasurer of this Commonwealth be, and he hereby is authorized and directed, to apply the same towards the payment of the said debt, until the same shall be fully discharged and extinguished.

Resolved, That his Excellency the Governor, with advice of Council be, and he is hereby authorized, to make such commutation and arrangement with the Supreme Executive of the United States, on the subject for the balance of arms due this Commonwealth, and to receive the same in arms, or by an equivalent in money, as in his opinion, the interest of the Commonwealth may require.

CHAP. LI.

Resolve granting Loring Wheeler, a wounded soldier, sixty dollars. June 16th, 1817.

On the petition of Loring Wheeler, of Sudbury;

Resolved, That there be allowed and paid out of the treasury of this Commonwealth, unto Loring Wheeler, of Sudbury, the sum of sixty dollars, in full for money expended and time lost, in consequence of his receiving a wound in his right hand, at a regimental muster, on the ninth day of October last.

CHAP. LII.

Resolve making valid the doings of the Assessors of the first parish in South Berwick, for the years eighteen hundred fifteen and eighteen hundred sixteen. June 16th, 1817.

On the petition of Northend Cogswell, William Hight, and Andrew Goodwin, Assessors of the first parish of South Berwick, in the county of York, praying that their doings, in assessing taxes on the inhabitants of said parish, for the years eighteen hundred fifteen and eighteen hundred sixteen, may be confirmed and made valid; the said Assessors not being provided with the tax act, at the time of assessing the same, and in consequence, having varied therefrom in some measure, particularly as it respects the tax on the polls, which in some small degree exceeds one sixth part of the money assessed;

Resolved, For reasons set forth in said petition, that the doings of the Assessors of said first parish of South Berwick, in assessing said taxes upon the polls and estates of the inhabitants of said first parish, for the years eighteen hundred fifteen and eighteen hundred sixteen, be, and are hereby ratified and confirmed, and rendered firm and valid, as though said Assessors had proceeded according to law, and pursued, in every respect, the tax acts of those years.

CHAP. LIII.

Resolve granting to Sylvanus Plympton, Esquire, forty-six dollars, for travel and attendance as a Member of the Court, for the town of Woburn. June 16th, 1817.

Resolved, That there be allowed and paid out of the treasury of this Commonwealth, to Sylvanus Plympton, Esquire, of Woburn, in the county of Middlesex, forty-four dollars, for twenty-two days attendance in the House of Representatives, as a Member thereof from the said town of Woburn, during the last session of the Legislature; and two dollars for travel, the same having been omitted in making up the pay roll.

CHAP. LIV

Resolve authorizing Mehitable Heywood, as Guardian to her son, to sell his estate, being non compos mentis. June 16th, 1817.

On the petition of Mehitable Heywood, of Worcester, in the county of Worcester, parent and Guardian of Joseph Heywood, her son, *non compos mentis*, praying that she the said Mehitable, may be licensed to sell the real estate of said Joseph;

Resolved, For reasons set forth in said petition, that said Mehitable, parent and Guardian aforesaid, be and hereby is authorized to sell said estate at private sale for the most it will bring, and to make and execute a good and sufficient deed or deeds of the same; she the said Mehitable first giving bonds, with sufficient surety or sureties, to the Judge of Probate for the county of Worcester, in such sum, as said Judge shall direct, conditioned that she will act faithfully and impartially, in all things touching the same, and will account for the proceeds of the sale thereof, as the law in such cases provides.

CHAP. LV.

Resolve authorizing John Richards to export kegs and firkins of lard. June 16th, 1817.

On the petition of John Richards, Esquire, praying for leave to export from this Commonwealth, three hundred and fifty firkins, and one hundred and thirty kegs of lard, which he imported into this Commonwealth, for the purpose of re-shipping the same to the Island of Cuba, under the belief that he might lawfully do so in the same casks in which it was imported; Therefore,

Resolved, For the reasons set forth in said petition, that the said John Richards be, and he hereby is fully authorized and empowered to export the said lard from this Commonwealth to any foreign port or place, according to the laws of the United States, without inspection; any law of this Commonwealth to the contrary notwithstanding.

CHAP. LVI.

Resolve authorizing Alford Richardson, Esquire, and Honorable Oliver Crosby to visit sundry alms houses, and report at the next session. June 17th, 1817.

Resolved, That Alford Richardson, Esquire, be a Committee for the purpose of visiting the alms-houses and paupers in the towns of Charlestown, Cambridge, Salem, Lynn, Gloucester, Newbury, Newburyport, Portland, Ipswich, Roxbury, Marblehead and Danvers, immediately preceding the next session of this General Court, and examine the paupers charged by those towns respectively, to the Commonwealth, and make report thereon, at the said next session of this General Court.

Resolved, That the Honorable Oliver Crosby be a Committee for the purpose of examining the paupers, in the town of Worcester, immediately preceding the next session of this General Court; and examine the paupers, charged by that town to the Commonwealth, and make report thereon, at the said next session of this General Court.

CHAP. LVII.

Resolve authorizing Samuel Thaxter and others, as Guardians, to sell the estate of Elizabeth H. Wild, Maria H. Thayer, and Charles W. Thayer, minors. June 16th, 1817.

On the petition of Samuel Thaxter and Robert H. Thayer, Guardians of Elizabeth H. Wild, Maria H. Thayer, and Charles W. Thayer, minors, praying that they, the said Guardians, may be authorized to sell at private sale, the estate of the said minors, being three undivided sevenths of an undivided seventh part of a certain piece of land situate in Congress-street, in Boston, and adjoining the Exchange Coffee House, of which the said minors are possessed as heirs of the late Amasa Thayer, of said Boston, deceased;

Resolved, For reasons set forth in said petition, that the said Samuel and Robert be, and they hereby are authorized and empowered to sell the said estate of said minors

at private sale, and to make to the purchaser or purchasers, a good and sufficient deed or deeds thereof; *provided*, the said Robert and Samuel can obtain therefor a price proportionally equal to the price given by the proprietors of the Exchange Coffee House, for the remaining part of said land; *and provided also*, that the said Robert and Samuel first give bonds to the Judge of Probate of the county of Suffolk, with sufficient sureties, to account for the proceeds of the sale, according to law.

CHAP. LVIII.

Resolve granting to Ichabod Bickford, thirty-three dollars and fifty cents, for the use of several persons, borne on his company's roll. June 16th, 1817.

On the petition of Ichabod Bickford and others, praying that they may be paid for services rendered by them, during the late war;

Resolved, That the sum of thirty-three dollars and fifty cents, be allowed and paid out of the treasury of this Commonwealth, to Ichabod Bickford, for the use of several persons, whose names are borne on his company roll, in the several proportions due to each, for services rendered by them, during the late war: *Provided*, that the said Bickford shall give duplicate receipts therefor, one of which, together with the inspection, muster, and pay rolls of said company, shall be filed with the vouchers to support the claim of this Commonwealth against the United States, for expenses incurred by the state during the late war. *And provided also*, that the said Bickford shall certify that the muster and pay rolls aforesaid, are true and correct, and that the several persons, whose names are borne on the pay roll aforesaid, were on duty and performed the services therein stated, and for which this allowance is made.

Be it further resolved, That whenever the provisions aforesaid, are complied with by the said Bickford, that his Excellency the Governor be requested to draw his warrant in his favor, for the sum of thirty-three dollars and fifty cents.

CHAP. LIX.

Resolve authorizing William Homes and others, proprietors of the Conduit Corporation, to sell real estate. June 16th, 1817.

Upon the petition of William Homes and others, a Committee of the proprietors of the Conduit Corporation, in Boston, praying that he may be authorized and empowered to make sale of the real estate of said corporation;

Resolved, That the said Committee, or a major part of them, be, and they are hereby authorized and empowered, to sell and dispose of the real estate of said corporation, at such time, and in such manner, as shall be deemed expedient; and to make and execute to the purchaser or purchasers thereof, a good and sufficient deed or deeds of conveyance for the same, which being acknowledged before a Justice of the Peace, and recorded in the Registry of Deeds, for the county wherein the land lies, shall be good and sufficient to pass to the purchaser or purchasers, his or their heirs or assigns forever, all the right, title, interest, and estate, which the said corporation have in, and to the same.

Resolved, That the said Committee, or a major part of them, or the Wardens of said corporation, shall divide the proceeds of said sale, as soon as may be, unto and among all the said proprietors, according to their several and respective shares therein.

CHAP. LX.

Resolve making compensation to the State Prison Commissioners. June 17th, 1817.

Resolved, That there be allowed and paid out of the public treasury, in full for compensation and expenses, to the Commissioners, appointed under a resolve of the thirteenth of December last, on the subject of the State Prison, as follows:

To the Honourable Richard Sullivan, two hundred and sixty-four dollars.

To William Tudor, Junior, Esquire, two hundred and ninety-four dollars.

To James T. Austin, Esquire, eighty dollars : And his Excellency the Governor, with advice of Council, is hereby authorized to draw his warrants accordingly.

CHAP. LXI.

Resolve making a grant to Jacob Kuhn, in addition to his established pay. June 17, 1817.

Resolved, That there be allowed and paid out of the public treasury, to Jacob Kuhn, three hundred and fifty dollars, for the present year, commencing the thirtieth day of May last, to be in addition to the sum of four hundred dollars allowed him by a resolve of March twenty-sixth, seventeen hundred and ninety-three, establishing the pay of the Messenger of the General Court; and his Excellency the Governor is requested to draw his warrant for the same.

CHAP. LXII.

Resolve granting to William W. Cleaves seventy-five pounds of powder, in lieu of that quantity expended by him. June 17, 1817.

On the petition of William W. Cleaves, setting forth, that as Commander of the artillery company attached to the second brigade of the sixth division of militia of this Commonwealth, he expended seventy-five pounds of powder, at the interment of the Honorable Cyrus King, being the Major General of said division ;

Resolved, For the reasons set forth in said petition, that the Quarter-Master General furnish to said William W. Cleaves, seventy-five pounds of powder, for the use of said artillery company.

CHAP. LXIII.

Resolve granting to Jacob Kuhn, Messenger of the General Court, one thousand dollars, for the purchase of fuel, &c. for the Government. June 17, 1817.

Resolved, That there be paid out of the treasury of this Commonwealth, to Jacob Kuhn, Messenger of the General Court, the sum of one thousand dollars, to enable him to purchase fuel, and such other articles as may be necessary for the use of the General Court, together with the Governor and Council Chamber, the Secretary's, Treasurer's, Adjutant General's, and Quarter-Master General's Offices, and also the Land Office, he to be accountable for the expenditure of the same.

CHAP. LXIV.

Resolve granting Honorable Edward H. Robbins three hundred dollars. June 17th, 1817.

Resolved, That there be allowed and paid out of the public treasury, to the Honorable Edward H. Robbins, on account of services rendered, and to be rendered in his office, as Agent, or Commissioner for Eastern Lands, three hundred dollars, to be accounted for by him on settlement of his accounts, within twelve months from passing this resolve; and his Excellency the Governor, with advice of Council, is authorized to draw his warrant accordingly.

CHAP. LXV.

Resolve for the Commissioners of the Land Office to take possession of the north east room in the State House. June 17th, 1817.

Resolved, That the Commissioners of the Land Office be, and they are hereby authorized, to take possession of the north east room on the lower floor of the State House,

and to remove the books and documents belonging to that department to said room, and to occupy and improve the same in future, for the business of the Land Office; and the Messenger of the General Court is hereby authorized to provide such desks, shelves and cases, as said Commissioners shall direct, as necessary for the safety and convenience of the business of said department.

Be it further resolved, That the books, trunks and papers relating to the claim of this Commonwealth, against the United States, for expenses incurred during the late war, for the public defence, and which now are in the room aforesaid, be removed to the Adjutant General's Office, and be placed under his care.

CHAP. LXVI.

Resolve for the compensation of the Lieutenant Governor, Secretary, Treasurer, Clerks, &c. June 17th, 1817.

Resolved, That there be allowed and paid out of the treasury of this Commonwealth, to his Honor the Lieutenant Governor, the sum of five hundred and thirty-three dollars and thirty-three cents, in full for his salary for one year, from the thirty-first day of May last past.

Also to Alden Bradford, Esquire, Secretary of this Commonwealth, the sum of two thousand dollars, for his salary for one year, from the sixth day of June instant, he the said Secretary, to be accountable for all the fees of office he shall have received.

And likewise to the Honorable Daniel Sargent, Treasurer and Receiver General of said Commonwealth, the sum of two thousand dollars for his salary for one year, from the sixth day of June current; and that all the aforesaid salaries be paid quarterly, as they shall become due.

Also that there be allowed and paid out of the public treasury, to Samuel F. McCleary, Clerk of the Senate and to Benjamin Pollard, Clerk of the House of Representatives, the sum of two hundred dollars each; and to Jeremiah Perley, Assistant Clerk of the Senate, the sum of one hundred and twenty-five dollars; and to Thomas Walcutt, a Clerk in the lobbies, for the assistance of the Members of

the Legislature, the sum of one hundred dollars in full, for their respective services in their capacities aforesaid, the present session of the General Court.

Also to Ward Lock, Assistant to the Messenger of the Governor and Council, two dollars and fifty cents for each day he may have been employed the present session of the Council.

Also to Isaac Adams, the sum of two dollars and fifty cents for each day he has been employed as an Assistant to the Messenger of the honorable Council.

Also to the First Clerk in the Secretary's Office; also to the First Clerk in the Treasury Office; also to the First Clerk in the Adjutant General's Office, fourteen hundred dollars each, in full compensation for their services for one year, from the first day of this current month of June; and likewise to each of the other Clerks, in said Secretary's, Treasurer's, and Adjutant General's Office; and also to the Clerk in the Office of the Quarter-Master General, three dollars and eighty-four cents per day, for each and every day they are respectively employed therein, for one year, commencing the said first day of June current.

Also, that there be allowed and paid out of the treasury, to the Committee on Accounts, for the present session, one dollar per day each, over and above their pay as members, to wit: to the

Hon. Oliver Crosby, sixteen days, sixteen dollars.
Samuel Porter, twenty-one days, twenty-one dollars.
Thomas Hale, seventeen days, seventeen dollars.
Alford Richardson, twenty-one days, twenty-one dollars.
Hugo Burghart, twenty-one days, twenty-one dollars.

CHAP. LXVII.

Resolve empowering the Quarter-Master General to build a brick wall to enclose the Laboratory, and to sell or exchange condemned cannon. June 17th, 1817.

Resolved, That the Quarter-Master General be, and he hereby is authorized and directed, to build a brick wall, on a suitable stone foundation, of proper height, to enclose the Laboratory Yard, fronting on Pleasant-street, in Boston; and also a brick wall upon the back line of said Laborato-

ry Yard; *provided*, the expense of the same shall not exceed two thousand dollars.

Be it further resolved, That his Excellency the Governor be, and he hereby is authorized and empowered, by and with the advice and consent of the Council, to draw his warrant on the Treasurer of this Commonwealth, in favor of the Quarter-Master General, for any sum that may be necessary to carry the above resolve into effect, not exceeding two thousand dollars.

Be it further resolved, That the Quarter-Master General be, and he hereby is authorized and empowered, under the direction of his Excellency the Governor, to exchange any condemned cannon, mortars, shot, or shells, in the arsenals of this Commonwealth, for such brass or other artillery pieces, or for such pieces of heavy ordnance as he may deem expedient; or to sell the same cannon, mortars, shot, and shells, and to appropriate the proceeds of the same for the purchase of such brass pieces, or other ordnance, as he may deem it expedient to procure.

And be it further resolved, That his Excellency the Governor, with the advice of Council, be, and he is hereby authorized, whenever an opportunity shall present, to sell the forty twenty-four pound cannon which were purchased during the late war, or any part of the same; *provided*, that the same be not sold for a less sum than was paid for the same, by this Commonwealth.

CHAP. LXVIII.

Resolve allowing compensation to Agents, who presented the claims of this state to the United States.

June 17th, 1817.

Resolved, That there be allowed and paid out of the treasury of this Commonwealth, to William H. Sumner, Esquire, the sum of one hundred and eighty-three dollars and twelve cents, being the amount paid by him for Clerk hire, and for other necessary expenses, incurred while at Washington, by the Commissioners of the Commonwealth, who were appointed to present the claims of this Commonwealth for expenses incurred during the late war, to the government of the United States, for allowance.

And be it further resolved, That there be allowed and paid to the Honorable James Lloyd, for his services, in preparing, presenting, and prosecuting the claim aforesaid, according to the provisions of a resolve passed the third day of December last, the sum of four hundred and seventy-four dollars, deducting therefrom, the sum of three hundred and forty-four dollars and twenty-eight cents, received by him. To William H. Sumner, Esquire, the sum of seven hundred and eight dollars, deducting therefrom, the sum of six hundred dollars, received by him, for the same account. To Joseph H. Peirce, the sum of three hundred and fifty-four dollars and seventy-one cents, for the same account, and for expenses paid by him; deducting therefrom, the sum of one hundred dollars, received by him; and that his Excellency the Governor, be requested to draw his warrants on the Treasurer accordingly, in favor of the said James Lloyd, for the sum of one hundred and twenty-nine dollars and seventy-two cents; of the said William H. Sumner, for the sum of two hundred and ninety-one dollars and twelve cents; and of the said Joseph H. Peirce, for the sum of two hundred and fifty-four dollars and seventy-one cents.

CHAP. LXIX.

Resolve granting Enoch Mudge ten dollars.
June 18th, 1817.

On the petition of Enoch Mudge, of Orrington, in the county of Penobscot;

Resolved, That there be allowed and paid out of the public treasury, to said Enoch Mudge, ten dollars, in full compensation for his services as one of the Agents appointed by a resolve of the General Court, of the twenty-ninth of February, eighteen hundred and twelve, to survey and make such alterations in the county road from the easterly line of township Number Four, first range, north of the Waldo Patent, to the westerly line of the town of Hampden.

ROLL, No. 77....June, 1817.

THE Committee on Accounts, having examined the several accounts, they now present,

REPORT, that there is now due to the Corporations and persons hereafter mentioned, the sums set to their names respectively, which, when allowed and paid, will be in full discharge of the said accounts, to the several dates therein mentioned; which is respectfully submitted.

SAMUEL PORTER, *Per Order.*

PAUPER ACCOUNTS.

Town of Arundel, for board and clothing Henry Rolf, to 26th May, 1817,	43 42
Adams, for board and clothing sundry paupers, to 22d May, 1817,	172 70
Augusta, for board and doctoring sundry paupers, to 14th May, 1817,	84 70
Brimfield, for board, clothing, doctoring and nursing John Christain, to 1st June, 1817,	110 84
Belchertown, for board and clothing sundry paupers, to 23d May, 1817,	89 09
Blandford, for board and clothing sundry paupers, to 8th May, 1817,	202 83
Bradford, for board and clothing Joshua L. Alsears, to 1st January, 1817,	65 00
Burlington, for support and doctoring Dorothy Lynham, to 4th June, 1817,	23 75
Brookfield, for support of Jonas Benton, to 2d May, 1817,	64 63

Beverly, for board and clothing sundry paupers, to 1st June, 1817,	347 39
Boxborough, for board and clothing John McCoy, to 22d May, 1817,	67 20
Barre, for board, clothing and doctoring Samuel Lee and Sally Taylor, to 17th May, 1817,	43 05
Bristol, for board and clothing William Howe, to 20th May, 1817, and Samuel Hill, to 17th May, 1817,	130 20
Bridgewater, for board and clothing sundry paupers, to 5th June, 1817,	112 80
Belgrade, for board, nursing and doctoring Abigail Odlin, to 29th May, 1817,	42 10
Bradford, Samuel, Keeper of the gaol in the county of Suffolk, for support of sundry poor prisoners confined for debt, to 1st May, 1817,	540 64
Board of Health, Boston, for support and doctoring sundry paupers with the small pox, at Rainsford Island, to 4th June, 1817,	100 14
Boston, for board and clothing sundry paupers, to 1st June, 1817,	9495 54
Baldwin, for board and clothing Daniel Hickey, to 1st May, 1817,	19 00
Billerica, for supplies to James Ingalls, to 5th May, 1817,	24 43
Chelmsford, for board, clothing, and nursing Catharine McClenny, Charles and Eliza Goodridge, to 11th December, 1816,	114 50
Cheshire, for board, clothing, doctoring, and supplies to sundry paupers, to 23d May, 1817,	257 70
Conway, for board and clothing Hannah M'Neil, to 23d May, 1817,	56 80
Concord, for board and clothing sundry paupers, to 1st June, 1817,	177 22
Chesterfield, for board and clothing Adam Hamilton and Rachel Polley, to 18th May, 1817,	64 38
Chester, for board, clothing, doctoring and nursing sundry paupers, to 26th May, 1817,	136 08
Cushing, for support of Peggy Rowley and Mary Henderson, to 27th May, 1817,	96 25
Colraine, for board and clothing sundry paupers, to 27th May, 1817,	239 00

Charlestown, for board and clothing sundry paupers, to 5th May, 1817, 648 42
Carver, for board and clothing Martin Grady, to 1st January, 1817, 67 20
Castine, for board, clothing and doctoring James Buckley and Thomas Dresue, till their death, and funeral charges, 55 75
Cambridge. for board and clothing sundry paupers, to 6th June, 1817, 338 16
Cape Elizabeth, for board, clothing and doctoring sundry paupers, to 23d May, 1817, 118 42
Dresden, for board and clothing John Cullen, to 1st January, 1817, 67 20
Durham, for board and clothing sundry paupers, to 1st June, 1817, 121 60
Danvers, for board and clothing sundry paupers, to 20th May, 1817, 1349 65
Deerfield, for board and nursing Abigail Wells, till her death, 12th March, 1817, and funeral charges, 28 50
Dedham, for support of Simon Razey, to 21st May, 1817, 25 50
Elliot, for support of Jacob Brewer and Abigail Randall, to 2d June, 1817, 67 02
Enfield, for support of William Rice, to 24th May, 1817, 45 50
Egremont, for support of sundry paupers, to 14th January, 1817, 51 00
Edgarton, for board and clothing Anthony Chadwick, to 27th May, 1817, 67 20
Fayette, for board and clothing William Godfrey Martin, to 21st May, 1817, 44 83
Friendship, for board and clothing James Metcalf, to 1st June, 1817, 62 00
Frankfort, for board and clothing Hatevil Colson, to 31st May, 1817, 27 00
Falmouth, Cumberland county, for board and clothing sundry paupers, to 1st June, 1817, 99 84
Foxborough, for support and doctoring Dezoay Stafford and three children, till they left the Commonwealth, 25 30
Greenwich, for board and clothing Lot Lee and Polly Bailey, till removed out of the state, and Stephen Bailey, to 26th May, 1817, 101 58

Gorham, for support of James T. Cooper, to 22d April, and Robert Gilfilling, to 24th May, 1817, 82 90

Groton, for board, clothing, doctoring and nursing sundry paupers, to 10th January, 1817, 427 21

Guardian of Dudley Indians, which sum the Treasurer is directed to charge said Indians, and deduct the same from the sum due them from the Commonwealth, to 6th May, 1817, 134 00

Gardiner, for board of Thomas W. Doyl, and Elenor Barnes, alias Thoms, and removing Mary Brow to New-Hampshire, to 24th May, 1817, 64 60

Granville, for board, clothing and doctoring George Taylor and Simon Hoffman, to 26th May, 1817, 71 98

Gloucester, for board and clothing sundry paupers, to 10th May, 1817, 966 92

Gill, for board, clothing, nursing and doctoring sundry paupers, to 25th May, 1817, 204 28

Great Barrington, for board and clothing sundry paupers to 4th June, 1817, 157 47

Hawley, for board and clothing Joseph Barnard to 23d May, 1817, 31 02

Hancock, for board and clothing Rebecca Osborn and Hannah Win, to 28th May, 1817, 244 42

Hodgkins, Joseph, Keeper of the House of Correction in the county of Essex, for board and clothing sundry insane persons (including allowance by the Court of Sessions) to 4th June, 1817, 550 13

Hallowell, for support of sundry paupers, to 1st June, 1817, 419 45

Holland, for board and clothing Jonathan Hill, to 19th May, 1817, 83 66

Hamilton, for board, clothing and doctoring Molly Moncrief, to 5th April, 1817, 73 05

Hardwick, for board and clothing Hannah Morgan to 1st June, 1817. 56 80

Ipswich, for board and clothing sundry paupers to 1st June, 1817, 202 80

Jay, for board and nursing Elizabeth Bell, Daniel Holland, wife and children, to 19th May, 1817, 74 00

Jonesborough, for board and clothing James Kairoan, to 1st May, 1817, 33 60

Kittery, for board and clothing Sarah Perkins, and Deborah Perkins and child, to 22d May, 1817,	69 53
Leeds, for board and clothing sundry paupers, to 24th May, 1817,	70 56
Levant, for support, nursing, doctoring, and funeral charges, of Lawrence Hook, September, 1816,	30 00
Lee, for support of sundry paupers, to 20th May, 1817,	315 33
Lincolnville, for board, clothing and doctoring sundry paupers, to 21st May, 1817,	93 10
Lenox, for board, clothing and doctoring sundry paupers, to 23d May, 1817,	240 58
Lanesborough, for support and doctoring sundry paupers, to 24th May, 1817,	209 23
Leyden, for board, clothing and doctoring sundry paupers, to 20th May, 1817,	131 00
Limington, for board and clothing John O'Ryan, to 1st January, 1817,	67 20
Littleton, for board and clothing John Putnam, to 3d June, 1817,	53 16
Longmeadow, for support of sundry paupers, to 27th May, 1817,	124 57
Lynn, for board and clothing sundry paupers, to 30th May, 1817,	380 08
Marshfield, for board and clothing Samuel Holmes, to 20th May, 1817,	61 27
Montgomery, for board and clothing Moses Canair, to 4th June, 1817,	31 40
Marblehead, for board and clothing sundry paupers, to 4th June, 1817,	389 90
Monmouth, for board and clothing John Sherburn and Peggy Magner, to 11th June, 1817,	72 00
Medford, for support of Oliver Pierce and family, till they left the Commonwealth, June, 1817,	125 93
Northfield, for support and clothing Amos Riley, to 23d May, 1817,	35 80
North Brookfield, for board, nursing and doctoring John Hall, to 22d May, 1817,	14 29
New Bedford, for board and clothing sundry paupers, to 1st April, 1817,	348 03

Newry, for board and clothing William Burk, to 22d May, 1817,	37 80
North Yarmouth, for board and clothing George Young and Jesse Estees, to 6th June, 1817,	60 77
Newbury, for board and clothing sundry paupers, to 1st June, 1817,	1337 02
Newburyport, for board and clothing sundry paupers, to 1st June, 1817,	1353 59
Norwich, for board and clothing Daniel Williams, to 28th May, 1817,	35 00
Nantucket, for board and clothing James Ross, to 25th May, 1817, and George Phenix, till his death, and funeral charges,	88 36
Northampton, for board, clothing and doctoring sundry paupers, to 25th May, 1817,	331 80
Newcastle, for support of William Cochran, to 6th May, 1816,	2 50
New Salem, for board and clothing Philip Haven, to 4th April, 1817,	50 76
Peru, for support of James Robbins, to 19th May, 1817,	27 50
Pittsfield, for board, clothing and doctoring sundry paupers, to 31st May, 1817,	317 01
Phipsburg, for support of Jacob Wheeler, to 1st June, 1817,	61 29
Plymouth, for board and clothing sundry paupers, to 2d June, 1817,	456 90
Portland, for board and clothing sundry paupers, to 1st June, 1817,	2363 84
Russell, for board and clothing John and Polly Newton, to 1st June, 1817,	90 60
Rowley, for board, clothing and nursing Ella Collins and Benning Dow, to 27th May, 1817,	70 65
Randolph, for supplies furnished William Reed, to 1st May, 1817,	33 88
Roxbury, for board and clothing sundry paupers, to 2d June, 1817,	385 21
Richmond, for board, clothing and doctoring sundry paupers, to 2d June, 1817,	207 19
Readfield, for board, clothing and doctoring Edward Burgess and Colin Comron, to 21st May, 1817,	100 10

Rutland, for board and clothing William Henderson, to 27th May, 1817,	67 20
Southwick, for board, clothing and doctoring George Reed, to 1st June, 1817,	71 52
Sudbury, for board, clothing and nursing John Weighton, to 11th February, 1817,	88 77
Swanzey, for board and clothing Garret Burns and James Garnet, to 24th May, 1817,	59 91
Southbridge, for board and clothing London Derry, to 15th May, 1817,	67 20
Shelburn, for board, clothing and doctoring Mary Bates, to 26th May, 1817,	57 32
Stockbridge, for board, clothing and doctoring sundry paupers, to 3d March, 1817,	320 30
Saco, for board, clothing, and funeral charges sundry paupers, to 1st June, 1817,	26 80
Sutton, for support of Isabella Santee's three children, to 12th May, 1817, and Peter Valentine, till his death, and funeral charges,	64 10
Sharon, for support and doctoring James Welch, to 25th April, 1817,	40 00
Sandisfield, for support of Richard Dickson and family, to 20th May, 1817,	34 10
Starks, for board and clothing James L. Wood, to 22d May, 1817,	67 20
St. George, for board and clothing Robert Hews, to 1st June, 1817,	27 50
Sandwich, for board and clothing Mason Raymond and Rebecca Simons, to 7th June, 1817,	23 82
Spencer, for board, clothing and doctoring sundry paupers, to 27th May, 1817,	125 19
Salem, for board and clothing sundry paupers, to 2d June, 1817,	1519 16
South Berwick, for board and clothing Lemuel Woodworth, to 3d June, 1817,	45 00
Townsend, for support and doctoring Daniel Foster and family, till they left the Commonwealth, February, 1816,	128 47
Topsham, for board and clothing John Duggen, to 24th May, 1817,	45 50
Uxbridge, for support of sundry paupers, to 27th May, 1817,	105 56

Winthrop, for board and clothing William Gaskel, to 28th May, 1817,			34 42
Ward, for board of Francis Savage, to 10th April, 1817,			27 42
Westfield, for board, clothing and doctoring sundry paupers, to 1st June, 1817,			59 40
Williamstown, for support, doctoring and funeral charges of sundry paupers, to 24th May, 1817,			182 62
West Stockbridge, for board and clothing James C. Biggs and Lucy Lane, to 23d May, 1817,			55 17
Westhampton, for board, clothing and doctoring John Gay and Wife, to 26th May, 1817,			130 50
Worcester, for board and clothing sundry paupers, to 1st June, 1817,			241 84
Warren, for board and clothing sundry paupers, to 28th May, 1817,			181 00
Waldoborough, for board and clothing Philip Handle and Phebe Andrews, to 6th June, 1817,			124 90
West Springfield, for support of sundry paupers, to 18th May, 1817,			103 21
Westbrook, for support of John Burns, to 8th May, 1817,			67 20
Wareham, for support of William Long, to 27th May, 1817,			36 18
Wiscasset, for board, clothing and doctoring sundry paupers, to 31st May, 1817,			191 94
York, for board, clothing and doctoring sundry paupers, to 31st May, 1817,			339 26
Total Paupers,	35	245	75

MILITARY ACCOUNTS.

Courts Martial, Courts of Inquiry, &c.

Allen, James S. for the expense of a Court Martial, held at Plymouth, March, 1817, whereof Brigadier General A. Washburn was President,			262 42
Brooks, John, late Adjutant General, for cash paid an express, 13th March, 1816,			4 00

Fogg, Simeon, for the expense of a Court Martial, held at Limerick, April, 1817, whereof Colonel Solomon Strout was President,	322 56
Sewall, William B. for the expense of witnesses, for the investigation of the election of Major William Slemons; by order of the Commander in Chief,	4 70
	593 68

Brigade Majors and Aids-de-Camp.

Allen, Samuel, Junior, to 27th May, 1817,	13 13
Carr, Joshua W. to 5th March, 1817,	12 10
Dutch, Edward, to 10th May, 1817,	81 46
Fogg, Simeon, to 29th May, 1817,	53 37
Hayward, Nathan, to 17th December, 1816,	90 35
Newton, Rejoice, to 26th May, 1817,	20 80
Sargent, L. M. to 14th January, 1817,	46 57
Sawtell, Richard, to 31st December, 1816,	40 75
Sampson, Joseph, to 24th May, 1817,	41 92
Thomas, Nathaniel, to May, 1817,	2 45
Toby, Elisha, to May, 1817,	113 51
	516 41

Brigade Quarter-Masters.

Bradbury, William, to 28th May, 1817,	18 25
Farrell, Gideon, to May, 1817,	32 80
King, Amos, to May, 1817,	16 50
Roberts, Charles S. to May, 1817,	12 10
Stimpson, Joseph, to May, 1817,	16 00
Thomas, Nathaniel, to May, 1817,	7 90
	103 55

Adjutants.

Avery, Joshua, to 10th April, 1817,	41 21
Boduther, Harvey, to August, 1816,	6 78
Bailey, Halloway, to 31st May, 1817,	16 06
Backus, Zenas, to 15th May, 1817,	47 25
Champney, John, to 14th May, 1817,	40 73
Chase, James, to 7th November, 1816,	32 91

Carr, Joshua W. to 25th March, 1817,	7 40
Clement, Jesse, to 8th May, 1817,	15 87
Clark, John, to 10th September, 1816,	56 25
Carter, Willis, to 28th May, 1817,	47 60
Collins, Michael, to 13th May, 1817,	73 18
Callender, Benjamin, to November, 1816,	8 61
Davis, Benjamin, to 24th May, 1817,	9 71
Eells, Samuel, to 11th September, 1816,	133 81
Fairfield, Jotham, to 4th May, 1817,	30 98
Gilmore, Rufus, to May, 1817,	27 44
Getchell, John, to 28th November, 1816,	23 28
Hudson, John, to 1st June, 1817,	18 08
Hayes, John, to 16th February, 1817,	12 68
Knight, Jonathan, to 31st May, 1817,	6 75
Keith, Cyrus, to 2d June, 1817,	38 62
Lewis, Philo, to 2d May, 1817,	38 09
Orr, Hector, to 22d May, 1817,	85 26
Parker, Henry, to May, 1817,	15 11
Poor, Daniel A. to 25th September, 1816,	38 79
Sears, Joseph, to 26th May, 1817,	60 59
Starkweather, William, to May, 1817,	10 06
Stimpson, James, to 10th December, 1816,	13 09
Shattuck, Daniel, to May, 1817,	55 14
Spring, Luther, to 2d May, 1817,	18 06
Turner, John P. to 8th May, 1817,	48 03
Wild, Jonathan, to 4th June, 1817,	62 28
Washburn, Cromwell, to 19th April, 1817,	42 35
Wood, Thomas, to 17th May, 1817,	115 37
Worthington, Gad, to 17th May, 1817,	50 97
Williams, William, to 27th March, 1817,	32 22
Williams, John, to 30th September, 1816,	75 97
Ward, John, to 26th May, 1817,	16 86
	1473 44

Expenses for Horses to haul Artillery.

Acocks, William, to May, 1817,	7 00
Brown, James, to 17th May, 1817,	5 00
Bent, David I. to January, 1817,	5 00
Carr, Oliver, to May, 1817,	5 00
Carter, Ephraim, to May, 1817,	5 00
Dewey, Calvin, to May, 1817,	5 00
Eastman, Robert, to May, 1817,	5 00

Holbrook, Rufus, to May, 1817,	5 00
Holton, Jeremiah, to January, 1817,	15 00
Haskell, John, to May, 1817,	20 00
Killey, Sylvanus, to January, 1817,	5 00
Moody, Dudley, to May, 1817,	5 00
Noble, Horace, to May, 1817,	5 00
Pierce, Samuel, May, 1817,	10 00
Parker, Lewis, to May, 1817,	5 00
Shaw, Southworth, to May, 1817,	15 00
Shaw, Oliver, to May, 1817,	10 00
Sackett, Elijah, to May, 1817,	10 00
Sprague, Nathaniel, to May, 1817,	15 00
Tufts, Call, to December, 1816,	5 00
Warrener, Walter, to May, 1816,	16 25
Washburn, Eliab, to May, 1817,	7 00
	185 25

Courts Martial, &c.	593 68
Brigade Majors, &c.	516 41
Brigade Quarter-Masters,	103 55
Adjutants,	1473 44
For Artillery Horses,	185 25
Total Military,	2872 33

SHERIFFS' AND CORONERS' ACCOUNTS.

Bartlett, Bailey, Sheriff of Essex County, for returning votes, to 26th May, 1817,	33 04
Cooper, John, Sheriff of Washington County, for returning votes, to May, 1817,	28 00
Davis, Wendell, Sheriff of Barnstable County, for returning votes, to May, 1816,	31 36
Heywood, Nathan, Sheriff of Plymouth County, for returning votes, to 27th May, 1817,	26 50
Hoyt, Epaphrus, Sheriff of Franklin County, for returning votes, to May, 1817,	23 75
Lyman, Joseph, Sheriff of Hampshire County, for returning votes, to April, 1817,	25 00
Parker, Josiah, Coroner of Barnstable County, for inquisition on the body of a stranger, and funeral charges, 31st July, 1816,	23 60

Sawtell, Richard, Sheriff of Somerset County, for returning votes, to 23d May, 1817,	164 25
Stowers, Joseph, Coroner of Suffolk County, for inquisition on the body of a stranger, and funeral charges, May, 1817,	17 26
Watson, George, Sheriff of Hancock County, for returning votes, to May, 1817,	56 00
Total Sheriffs and Coroners,	428 76

PRINTERS' ACCOUNTS.

Burrill & Tileston, for publishing Acts and Resolves, to 1st January, 1817,	8 33
Edes, Peter, for publishing Acts and Resolves, to May, 1817,	16 66
Folsom, B. W. for publishing Acts and Resolves, to 1st August, 1817,	16 66
Russell, Benjamin, by Russell, Cutler and Co. for printing for the government, to 11th June, 1817,	2719 46
Shirley, A. & I. for publishing Acts and Resolves, to 1st January, 1817,	16 66
Thomas, Isaiah, Junior, for publishing Acts and Resolves, to May, 1817,	33 33
Tileston & Parmenter, for printing for the Agricultural Society, to February, 1817,	200 00
Total Printers,	3011 10

MISCELLANEOUS ACCOUNTS.

Agricultural Society, for sundry expenses in raising seeds and plants; and by experiments made by said Society, in the public garden at Cambridge, under the direction of W. D. Peck, to May, 1816,	467 75
Apthorp, John T. for cash paid for plate and engraving, for the Treasurer's Office, February, 1817,	39 12
Allen, Andrew, for stationary for the Secretary's Office, December, 1816,	8 00
Bradford, Alden, for stationary furnished Treasurer's Office, May, 1817,	7 00

Burditt, James W. for stationary furnished the government, to 5th June, 1817,	138 12
Boston Bank, for stationary furnished Secretary's Office, June, 1816,	25 00
Blaney, Henry, for work done at State House, to 9th June, 1817,	18 75
Ballard, J. & J. for Carpeting furnished the State House, to 4th May, 1817,	622 94
Board of Health, Boston, for cash paid Henry Spear, for his salary as Island Keeper, to March, 1817,	44 44
Bacon, Henry, for assisting Messenger of the General Court, to June, 1817,	44 00
Chase, Warren, for assisting Messenger to the General Court, to June, 1817,	44 00
Durant and Symmes, for work done on the State House, to 5th June, 1817,	45 50
Francis, Joseph, Page to the House of Representatives, to June, 1817,	18 00
Goodrich, Isaac W. for stationary furnished Secretary's Office, to 31st May, 1817,	26 25
Grant, Moses, Junior, for making carpet, &c. for State House, May, 1817,	42 62
Kuhn, Jacob, for balance due him on the 10th June, 1817, over and above the several grants made by the General Court, of 19th June and 13th December, 1816,	71 75
Lincoln, Amos, Junior, for painting done on State House, May, 1817,	70 48
Loring, Josiah, for stationary furnished the Government, to 11th June, 1817,	214 05
Low, John, Junior, for assisting the Messenger of the General Court, to June, 1817,	36 00
Low, Lewis, for assisting the Messenger of the General Court, to June, 1817,	40 00
Vose and Coates, for furniture for Council Chamber, to 29th June, 1816,	79 50
Wheeler, John H. for sundry joiner work on the State House, to 2d June, 1817,	61 87
Williams, Seth, for serving writ of supersedeas on Samuel Howard, Esquire, and returning the same, December, 1816,	5 00
Total Miscellaneous,	2170 14

Aggregate of Roll No. 77.

Expenses	of State Paupers,	35,245 75
"	of Militia,	2,872 33
"	of Sheriffs and Coroners,	428 76
"	of Printers,	3,011 10
"	of Miscellaneous,	2,170 14
		43,728 08

Resolved, That there be allowed and paid out of the public treasury, to the several corporations and persons mentioned in this Roll, the sums set against said corporations and persons' names respectively, amounting in the whole, to the sum of forty-three thousand, seven hundred and twenty-eight dollars and eight cents, the same being in full discharge of the accounts and demands to which they refer.

June 17th, 1817.....Approved.

JOHN BROOKS.

COMMONWEALTH OF MASSACHUSETTS.

SECRETARY'S OFFICE, NOV. 18, 1817.

I HEREBY certify, that the Resolves contained in this Pamphlet, passed at the session of the General Court, beginning May 28th, and ending June 18th, 1817, have been examined, and compared with the originals in this office, and appear to be correct, except an omission of date to a resolve on the petition of Samuel Honnet and others, page 415, which should be June 11th, 1817.

ALDEN BRADFORD,

Secretary of the Commonwealth.

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TO RESOLVES PASSED AT THE SESSION OF THE GENERAL COURT, IN MAY AND JUNE, 1817.

A.

ADAMS, Isaac, Assistant Messenger, pay granted, - - 450
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RESOLVES

OF THE

GENERAL COURT

OF THE

Commonwealth of Massachusetts,

PASSED AT THEIR SESSION,

WHICH COMMENCED ON WEDNESDAY, THE 14th DAY OF JANUARY, AND ENDED ON THE 24th OF FEBRUARY, 1818.

Published agreeably to a Resolve of 16th January, 1812.

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1818.

RESOLVES

OF THE

GENERAL COURT OF MASSACHUSETTS,

PASSED AT THEIR SESSION,

WHICH COMMENCED ON THE 14th DAY OF JANUARY, AND ENDED ON THE 24th DAY OF FEBRUARY, A. D. 1818.

GOVERNOR'S MESSAGE.

REPRESENTATIVES' CHAMBER, JANUARY 14th, 1818.

The Secretary communicated from the Governor, the following

MESSAGE:

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

THE State Prison is a subject that again solicits your consideration: and I indulge the hope, that I shall lay before you such information, acquired by no slight investigation, as shall facilitate your deliberations, and conduct you to the most salutary conclusions.

By a resolve of the thirteenth of June last, the Governor and Council were authorized to cause that part of the Prison

Wall which had fallen down, to be rebuilt on the same, or extended limits; and also, from time to time, as might be found necessary or expedient, to cause any part of the said wall, which might appear to require it, to be rebuilt on such limits as the Executive should direct. And by an act passed on the seventeenth of the same month of June, the Governor and Council were authorized to purchase or take for the purpose of extending the limits of the State Prison, the whole or any part of the lands between the present boundaries of the Prison and a road to be laid out from the abutment of Prison Point Bridge, or Dam, to the street in Charlestown.

Preparatory to perfecting the objects contemplated by the Legislature, as expressed in the resolve and act above referred to, the Executive, on the eighteenth of June, instructed the Directors of the State Prison to confer with the owners of the lands adjoining the present territories of that institution, as particularly mentioned in the act of the seventeenth of June, to ascertain on what terms the same, or any part of the same, might be purchased: and also to lay before the Executive, a statement of the number and dimensions of the rooms and cells in the present buildings, and their opinion, whether any, and if any, what additions should be made thereto, to effect, in the best manner, the important objects of that establishment. Accordingly, at the meeting of the Council, in July, the Directors made a report of their opinions and doings, as required, marked number one.

On the nineteenth of June last, a Committee of Council was appointed to consider the resolve already mentioned, and on the third of July following, the Committee made a report, marked number two, which was accepted: and to the acceptance of the report, the Council added their opinion and advice, as expressed in the paper marked number three. Agreeably to the advice of Council, the Directors of the State Prison were appointed to obtain estimates of the kinds, quantities, and qualities of the materials requisite, in addition to those on hand, for constructing new walls for the Prison, calculating on an increase equal to an extent of two hundred feet in length beyond their present measure, and on raising the whole to the entire height of twenty feet. My letter, appointing the Directors as Agents for those purposes, dated the eighteenth of July, is marked number four,

and their report to me, dated the twenty-fifth of August, marked number five, contains the several estimates, marked A. B. and C. which included labor as well as materials. An Agent having been appointed, advertisements were published, inviting contracts to be offered for providing materials and completing the work. In the mean time, it was deemed conducive to the interest of the Commonwealth, that some individuals, entitled to confidence, should be consulted, as well upon the manner, as upon the probable cost of constructing the walls.

Accordingly, two gentlemen in high estimation for the accuracy of their estimates in architectural enterprizes, were requested to examine the subject under consideration. After bestowing much attention to the questions submitted to them, they furnished the Agent with the result of their calculations, and subjoined such remarks upon further improvements of the establishment, as much experience in similar undertakings, and an attentive examination of the land over which a wall on extended limits, must be erected, enabled them to suggest.

At the same time an approved and scientific artist was employed to survey the whole of the land appertaining to the State Prison; to render an accurate plan of the whole establishment; to ascertain with precision, the declivities and nature of the ground contiguous to the wall, and to furnish an estimate of the expense of erecting a new one on extended limits.

The report of the Agent, marked number six, was accompanied by sundry estimates, and other documents, marked A. B. C. D. and E. and a plan of the establishment; together with a number of sketches and diagrams, explanatory of the estimates and opinions which had been offered by the gentlemen above alluded to.

Having obtained the several estimates and other documents I have already mentioned, the whole were submitted to the Council for consideration and advisement. The paper marked number seven, contains the result of their deliberations; and is exhibited as an expression of the undivided opinion of the Supreme Executive, upon the several points therein contemplated. The documents which I have thus enumerated, the arrangement and specification of which, I have considered as proper and necessary for conveying to

you a distinct and comprehensive view of the subject of investigation, will be laid before you by the Secretary.

On this subject I would only further add, that, although from the entire dilapidation of a large part of the Prison Wall, and the want of compactness in that part of it remaining erect, a new wall be deemed necessary, yet the limits to which such a wall are to be extended, must remain undefineable, until the views of the Legislature shall be distinctly expressed. From the operation of our present system of criminal law upon a population continually augmenting, it is but reasonable to presume, that the Prison must, in its present form, be soon surcharged.

And it is believed, from the increase of numbers the last year, should the same code be continued, and the penitentiary of Charlestown remain the only receptacle in the state, for convicts, that the utmost extension of the Prison wall, of which the ground now appertaining to that establishment is susceptible, will, after the lapse of a few years, prove insufficient for the public accommodation.

But the subject, with all its relations, rests with your wisdom. Its bearings on the reputation of the Commonwealth, and the domestic safety and comfort of its citizens, are numerous and interesting. And I indulge confident hopes that a wise and comprehensive system of measures will crown your deliberations.

A resolve which passed the Legislature on the fourteenth of June last, authorized and requested the Governor to employ persons (if he should think necessary) to prepare and arrange the claims of this state against the government of the United States, and the evidences and documents belonging to the same: By virtue of which, Joseph H. Peirce, Esquire, was employed in arranging documents, and preparing a digest of the whole claim. On the same day, another resolve was passed, by which the Governor was requested to cause to be delivered to the Honorable James Lloyd, then one of the Representatives in Congress from this Commonwealth, such documents and papers as might be deemed necessary to support the claims aforesaid, for the use of the Senators and Representatives of this state in Congress. But the subsequent resignation of that gentleman, devolved on me the duty of providing some method of transmitting those documents and papers to the seat of government at Washington, and placing them under

the control of the Senators and Representatives, to whom, by a simultaneous resolve, an adjustment of the claims, and all accounts connected therewith, had been committed. The documents and papers were accordingly entrusted to the gentleman who had been employed to prepare and arrange them, for transmission to Washington : and presuming, that from his intimate knowledge of the account, and the several documents and vouchers connected with it, he might be usefully employed at the seat of government, I instructed him, after placing the same at the disposal of the delegation, for whose use they were designed, to receive their directions for the further government of himself, and destination of the papers committed to his care. His services, I am led to believe, are important to the state; and he will be retained during the pleasure of the gentlemen of the delegation. Should the employment of Mr. Peirce meet the approbation of the Legislature, it will be unnecessary for me to suggest the idea of providing a compensation for his services, and for the expense of transmitting the documents and papers to the seat of the United States government.

The Secretary will lay before you likewise, a letter I have received from Lieutenant Governor Slaughter, the Chief Magistrate of the state of Kentucky, with a resolve of the Legislature of that state, proposing an article of amendment to the Constitution of the United States.

In the month of August last, I received a letter from Governor Knight, of the state of Rhode Island, accompanied by sundry resolves of the General Assembly of that state, for ascertaining and settling the north line of the same. They were submitted to the Council, and the advice given thereupon, together with the letter of the Governor, and the resolves of the General Assembly of Rhode Island, and a letter of Secretary Bradford, will, herewith, be laid before you. Respecting the subject of those communications, however, I am able to state for your information, that in the month of November last, the Commissioners of this state and those of Rhode Island held a meeting, and perambulated the ancient north line of the latter state ; and that the resumption of any further proceedings on the subject of the meeting, will depend on the determination of the Commissioners, or General Assembly of the state of Rhode Island.

The Treasurer of the Commonwealth having exhibited a statement of the Treasury, the Secretary will lay the same before you.

But I may not suffer the occasion to pass, without gratefully calling to recollection, the prosperous and happy condition of the citizens of the Commonwealth, and of our nation at large. The past year having been highly propitious to the varied labors and pursuits of the people, they are enjoying, under the smiles of Heaven, and the protecting energy of their free constitutions of government, the sweets of plenty and repose. May these blessings be long continued: And may we all be duly influenced by the full and animating persuasion, that under a faithful discharge of duty, an Almighty and beneficent Providence will ensure and guard our happiness.

JOHN BROOKS.

Council Chamber, January 14, 1818.

RESOLVES.

JANUARY, 1818.

CHAP. LXX.

Resolve directing the Messenger to purchase Fuel, and other articles, for the use of the General Court.
January 16th, 1818.

Resolved, That there be paid out of the treasury of this Commonwealth, to Jacob Kuhn, Messenger of the General Court, the sum of three hundred dollars, to enable him to purchase fuel and such other articles as may be necessary for the use of the General Court, together with the Governor and Council Chamber, the Secretary's, Treasurer's, Adjutant General's, and Quarter-Master General's Offices, and also the Land Office; he to be accountable for the expenditure of the same.

LXXI.

Resolve on the petition of Hannah Morley and Sylvanus G. Morley, Executors of the will of Colonel David Morley.
January 21st, 1818.

On the petition of Hannah Morley and Sylvanus G. Morley, Executors of the last will and testament of Colonel David Morley, late of West-Springfield, deceased, praying for leave to sell so much of the real estate of which the

said David died seized, as will raise the sum of three thousand five hundred and forty-six dollars and thirteen cents, for the payment of his debts ;

Resolved, for reason set forth in said petition, that the said Hannah Morley and Sylvanus G. Morley, in their said capacity, be, and they are hereby authorized to sell at public auction, so much of the real estate, of which the said David died seized, as will raise the sum of three thousand five hundred and forty-six dollars and thirteen cents, and to make and execute good and sufficient deed or deeds to the purchasers, which shall be good and valid, in law ; the said Hannah and Sylvanus first giving bonds to the Judge of Probate for the county of Hampden, for the faithful application of the money arising from such sale ; and also giving thirty days notice of the time and place of sale, in the newspaper printed at Springfield, called the Hampden Federalist ; and conforming in other respects to the duties and obligations, imposed by law upon Executors and Administrators, where license is obtained for the sale of the real estate of their testator or intestate, from the Supreme Judicial Court.

CHAP. LXXII.

Resolve on petition of Jonathan Knight.
January 21st, 1818.

On the petition of Jonathan Knight, of Worcester, in the county of Worcester, representing, that on the twenty-second day of July, one thousand eight hundred and sixteen, he made his deed of warranty to Samuel Brooks, of the same Worcester, his heirs and assigns, of a certain piece of land situated in the northwardly part of said town, containing twenty acres, bounded eastwardly on the county road leading from Worcester to Lancaster ; northwardly on land of the heirs of Samuel Andrews, deceased ; westwardly on Thomas and James Barber's land, and Silas Brooks' land ; and southwardly on land of Walter Bigelow ; also one other piece of land east of the house, beginning at the east post of the passage-way leading from the road into the old garden, and runs northwardly in a line to the east side of the smoke-house, then west to the

northeast corner of the house, and from thence southwardly to said road, with the land under that part of said house thereby conveyed; also an undivided half of the yard in front of the house, and of the following described lot back of the house, viz. from a line ranging with the east side of the smoke-house, and bounding by the fence back of said smoke-house, westwardly to a stake by said fence; thence southwardly to the house where the old and new houses join; also half of said smoke-house, and privilege of passing in and out of the back door into said back yard; also the whole of the two east rooms, kitchen and sink-room in said house, the east chamber and bed-room adjoining the garret over said rooms and chambers, and the cellar under the old part of the house, the privilege of the well and back stairs, and of passing through the meal room, and of keeping a chest in said meal room: And that on the thirty-first day of May, one thousand eight hundred and seventeen, the petitioner made another deed of warranty to the said Brooks, his heirs and assigns, of a certain piece of land lying near the house above described, containing one acre, more or less, bounded northwardly on a town road, eastwardly on Edward Knight's land, southwardly on Walter Bigelow's land, and westwardly on Edward Knight, with a barn thereon; which deeds were duly acknowledged, delivered and recorded, for the purpose of securing to the said Brooks the payment of the sum of six hundred forty-three dollars and sixty-eight cents and interest, which the petitioner owed him; and further representing that the said Brooks promised by his two several instruments in writing, to re-convey to the petitioner the said premises, upon his receiving the aforesaid sum and interest, but no seal was affixed to either of said instruments; and that the said Brooks has been prevented by death, from re-conveying the premises, agreeable to his promise; and stating that he is ready to pay over to the executor of the last will and testament of said Brooks, the sum aforesaid, and interest, and praying that the said executor may be authorized to make and execute a quit claim deed of the premises to the petitioner, his heirs and assigns; Therefore,

Resolved, For the reasons set forth in said petition, that Theophilus Wheeler, Esquire, Executor of the last will and testament of Samuel Brooks, of Worcester, deceased,

be, and he is hereby authorized and empowered, whenever the said Knight shall have paid to him the sum of six hundred forty-three dollars and sixty-eight cents, due to the estate of said Brooks, with the interest, to make and execute to the said Knight, his heirs and assigns, a deed of quit claim of all the right, title and interest. which the said Brooks had in the premises above described, at the time of his death, which deed, duly authenticated and recorded, shall have the same force and effect as if the said Brooks had made and executed the same.

CHAP. LXXIII.

Governor's Message. January 21st, 1818.

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

On the twelfth of December, one thousand eight hundred and sixteen, sundry resolves passed the Legislature authorizing and requesting the Governor, with the advice of Council, to appoint Agents on the part of the Commonwealth, to cause a fire proof distributing arsenal and laboratory to be erected inthe town of Boston; and on the Commonwealth's land in the town of Cambridge, to cause a fire proof brick building to be erected, of the dimensions and for the purposes therein described; and appropriating fourteen thousand dollars for the purpose of building the same.

I have now the satisfaction of being able to state, that the several buildings contemplated by the said resolves, are completed; and that the expenditures attending the same are within the limits of the abovementioned appropriation.

The Secretary will lay before you a report of the Agents appointed agreeably to the said resolves, together with their account of disbursements, and the report of a Committee of the Council respecting the same. The vouchers appertaining to the account of the Agents, are lodged in the Quarter-Master General's office.

J. BROOKS.

Council Chamber, January 21*st*, 1818.

CHAP. LXXIV.

Governor's Message. January 21st, 1818.

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

It is my painful duty to announce to you the sudden death of Honorable Samuel Fales, late a Member of the Council of this Commonwealth. The Secretary will lay before you an order of the Council, shewing the manner in which the Members of that Board have determined to testify their respect for the memory of the deceased.

J. BROOKS.

Council Chamber, January 21st, 1818.

CHAP. LXXV.

Resolve on petition of Rebeckah Jennison and Silas Brooks. January 21st, 1818.

On the petition of Rebeckah Jennison and Silas Brooks, Administrators, with the will annexed, of the estate of Samuel Jennison, late of Worcester, in the county of Worcester, deceased, representing that, on their petition in January, one thousand eight hundred and sixteen, the General Court passed a resolve, for reasons set forth therein, authorizing Benjamin Heywood, Esquire, Administrator of the estate of David Curtis, late of the same Worcester, deceased, to make and execute to the petitioners a deed of quit claim of all the right, title and interest, which the said David Curtis, or his legal representatives, had, or might then have, in the estate conveyed to him and Nathaniel Curtis by the deed of the said Samuel Jennison, dated November fifth, one thousand eight hundred and eleven, and referred to in said resolve; and further representing, that the said Benjamin Heywood has been prevented by death from making said deed, and praying that the administrators de bonis non of the estate of the said David Curtis may be authorized to make to the said Rebeckah Jennison, a deed of quit claim of the estate before mentioned; Therefore,

Resolved, For reasons set forth in the petition, and in the

resolve aforesaid, that Silas Bigelow and Susanna Bigelow, administrators de bonis non in her right of the estate of David Curtis, late of Worcester, deceased, be, and they are hereby authorized and empowered to make and execute to Rebeckah Jennison, of the same Worcester, her heirs and assigns, and for the benefit of the creditors, heirs, devisees and legatees of Samuel Jennison, (whenever the estate of the said Curtis shall be wholly exonerated and indemnified from a bond mentioned in the resolve aforesaid, and from all damage and cost thereby,) a good and sufficient deed of quit claim of all the right, title and interest which the said David Curtis had, or which his legal representatives now have, in certain estate described in a deed of the said Samuel Jennison, deceased, to the said David Curtis and Nathaniel Curtis, dated November fifth, one thousand eight hundred and eleven, and referred to in a resolve of the General Court, passed February sixth, one thousand eight hundred and sixteen, in the same manner that Benjamin Heywood was authorized by said resolve to do, and might, if living, now do.

CHAP. LXXVI.

Resolve confirming the doings of Proprietors of Boston Athenæum. January 22d, 1818.

Resolved, That the election of officers, and all other proceedings had and transacted at the meeting of the proprietors of the Boston Athenæum, held at their library on the twentieth day of January instant, be, and the same hereby are so far ratified and confirmed, as that the same shall be to all intents as valid and effectual in law, as if the same had been had and transacted at the annual meeting of the said proprietors, which according to the by-laws of said corporation, should have been holden in the month of August last.

CHAP. LXXVII.

Resolve on petition of Abigail Sprague.
January 23d, 1818.

On the petition of Abigail Sprague, Administratrix on the estate of Oakman Sprague, late of Bath, in the county of Lincoln, deceased, setting forth, that the said Oakman Sprague, in his life time, together with David Stinson and Thomas Lemont, both of said Bath, gentlemen, received a conveyance of a certain lot of land in said Bath, in trust for certain persons, who have since erected a meeting house thereon; but that the deed by which said conveyance was made, doth not express the said trust: And whereas the proprietors of said meeting house are desirous of having their title to said land established; and the said Stinson and Lemont are ready to convey their interest in the said land to the proprietors, agreeably to the true intent of the trust reposed in them; Therefore,

Resolved, That the said Abigail Sprague, in her said capacity, be, and she is hereby fully authorized and empowered to make and execute, with the said David Stinson and said Thomas Lemont, a sufficient deed of the aforementioned premises, to the proprietors of said meeting house: *Provided however*, that the said proprietors first pay to said Abigail, any monies advanced to them by said Oakman Sprague, for the purpose of erecting said meeting house, over and above what he may have given for that purpose, and indemnify the said Abigail and the heirs of said Oakman Sprague, against all debts that he the said Oakman, became obligated to pay for said proprietors, over and above the cost of the shares which he the said Oakman Sprague subscribed for, in said meeting house.

CHAP. LXXVIII.

Governor's Message. January 23d, 1818.

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

The Secretary will lay before you sundry resolves of the Legislature of the state of North Carolina, respecting an

amendment of the Constitution of the United States, proposed by the state of New Jersey, and which the Governor of the former state has requested may be communicated to the Legislature of Massachusetts.

J. BROOKS.

Council Chamber, January 23d, 1818.

CHAP. LXXIX.

Resolve granting eight thousand dollars for the use of State Prison. January 23d, 1818.

Resolved, That there be allowed and paid out of the public treasury, for the use of the State Prison, the sum of eight thousand dollars, to be drawn from the treasury by the Warden of said prison, in such sums as the Directors shall from time to time direct; and his Excellency the Governor, with the advice of Council, is hereby requested to draw his warrant on the Treasurer for the said sum accordingly.

CHAP. LXXX.

Resolve for making advances to Joseph H. Pierce, Esquire, Agent at Washington. January 23d, 1818.

Resolved, That his Excellency the Governor be, and he is hereby authorized to advance to Joseph H. Pierce, Esquire, the Agent appointed for arranging, digesting and transmitting to the seat of government, the documents and evidences relative to the claims of this state against the United States, any sum or sums not exceeding five hundred dollars, as his Excellency shall think necessary; the said Joseph H. Pierce to be accountable therefor: and his Excellency the Governor is hereby authorized to draw his warrant on the treasury for the same.

CHAP. LXXXI.

Governor's Message. January 16th, 1818.

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

The Secretary will lay before you a communication from the Chief Justice and two of the other Justices of the Supreme Judicial Court, suggesting a modification of the laws respecting the right of appeals, and the right of review. It is understood that the distance of the two other Justices of the same Court, from the seat of government at this time, may account for the want of their signatures to the communication.

J. BROOKS.

Council Chamber, January 16, 1818.

CHAP. LXXXII.

Governor's Message. January 17th, 1818.

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

The Secretary will lay before you the accounts of the late Treasurer, John T. Apthorp, Esquire, with the report of the Committee appointed by the Legislature to examine the same; likewise returns of the organized field artillery; of ordnance; of ordnance and laboratory stores; and of camp equipage, belonging to this Commonwealth. To which will be added a copy of the account of arms, adjusted by the Quarter-Master General, whom I had previously authorized for that purpose, with the Ordnance Department of the United States; by which it appears, that the Commonwealth has received its apportionment up to the first of January, eighteen hundred and sixteen, amounting to five thousand, nine hundred and thirty-five, conformably to the law of the United States, passed April twenty third, one thousand, eight hundred and eight, for arming the whole body of the militia.

J. BROOKS

Council Chamber, January 17, 1818.

CHAP. LXXXIII.

Resolve on the petition of Nathaniel Waite, a prisoner in the gaol in Worcester, in the county of Worcester.
January 27th, 1818.

Resolved, For reasons set forth in said petition, that the said Nathaniel Waite be, and hereby is discharged and fully released from a judgment recovered against him, at the suit of the Commonwealth, by the consideration of the Justices of the Supreme Judicial Court, holden at Worcester, within and for the county of Worcester, on the fourth Tuesday of September last, on which judgment, a warrant of distress issued, and by virtue thereof, the said Waite was committed to gaol in said county of Worcester, and there still remains a prisoner: And the Keeper of the gaol in said county of Worcester, is hereby authorized and directed to discharge said Waite from his said imprisonment; *provided*, that he is not committed or detained for any other cause than the judgment and warrant of distress aforesaid.

CHAP. LXXXIV.

Resolve on the petition of John Capen, the third.
January 27, 1818.

Resolved, For reasons set forth in said petition, that the Treasurer of this Commonwealth be, and he is hereby directed to issue to the said John Capen, the third, a new state note, of the same tenor and date as the note lost; that is a note numbered three hundred and ninety-one, and dated the seventh of August, one thousand eight hundred and ten, for the sum of two hundred and forty-seven dollars and ninety-six cents, and to endorse thereon the interest that has been paid; he the said John Capen, the third, first making affidavit before some Justice of the Peace, to the truth of the facts stated in his petition, and giving bonds to the Treasurer of this Commonwealth, in the penal sum of five hundred dollars, with one or more sureties, to secure the Commonwealth against any loss that may happen in consequence of the renewal of said note.

CHAP. LXXXV.

Resolve on the petition of Daniel Webster, Guardian to Allen McLaughlin, a minor. January 28th, 1818.

Resolved, That for reasons set forth in said petition, that the Commissioners of the Land Office be, and they are hereby authorized in behalf of this Commonwealth, to remise and release by deed, unto the heirs of the late Allen McLaughlin deceased, all its right and title to lot numbered one hundred and one, in the town of Bangor, in the county of Penobscot, according to a survey and plan of said town, by Park Holland, Esquire, and a certified return by him made of a previous settlement thereon by said deceased; *provided*, that the said Commissioners, before they execute such deed, are to be satisfied that in consideration thereof, fifty dollars shall have been paid by said Guardian into the treasury of this Commonwealth, and the claim of Robert Treat to said lot shall have been extinguished.

CHAP. LXXXVI.

Resolve on the petition of Joseph Howard and others, respecting claims of land. January 28th, 1818.

THE Committee on Eastern Lands, having had under consideration the petition of Joseph Howard, of Brownfield, in the county of Oxford, have to state, that in September, A. D. one thousand seven hundred and ninety-three, the Commonwealth by its Agents, conveyed a large tract of land in what is now Porterfield, in the present county of Oxford, to Jeremiah Hill and others, with a reservation for a then future appropriation of the General Court, of three hundred and twenty acres out of said grant, to be on an average, as to goodness and situation, with other lots therein of the same bigness; that the original grantees, by deeds, mutually divided and located among themselves their respective parts and proportions, by way of ranges and lots. The Commonwealth's property in quantity, and probably many acres more, being without any acquiescence of its Agents, sequestered and left to

meet the original reservation aforesaid; and that because of certain trespasses committed, as supposed, by said Howard and others, on the reserved and sequestered lands aforesaid, an information filed against them is now pending in the Supreme Judicial Court for that county; therefore, for reasons set forth in his petition, and for preventing law suits and mischief, the following resolutions are respectfully submitted, by

WM. D. WILLIAMSON, *Chairman.*

Resolved, That the Commissioners of the Land Office be, and they are hereby authorized to settle and adjust with the said grantees, the true quantity of land in said grant, reserved and belonging to the Commonwealth, the quality and situation thereof being duly considered, and to locate the same when ascertained and understood by admeasurement, lines and bounds.

Resolved, That the said Commissioners, after such location, be, and they are hereby authorized to convey in fee to said Howard or others, for a sum not less than one dollar by the acre, all the said lands so ascertained and located to the use of the Commonwealth: *Provided*, that if the said Howard be the purchaser, the same lands shall be estimated at what they were fairly worth prior to the first day of May, in the year of our Lord one thousand eight hundred and thirteen.

Resolved, That the said information pending in said Court, may be continued the next term; and in case the said Howard be the purchaser of the said lands, the same information shall be dismissed upon his paying all the costs thereon, which shall have accrued to the Commonwealth touching the same.

CHAP. LXXXVII.

Governor's Message. January 30th, 1818.

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

Major General Alford Richardson having resigned the command of the twelfth division of the militia of this Commonwealth, has been discharged, agreeably to his request.

J. BROOKS.

Council Chamber, January 30, 1818.

CHAP. LXXXVIII.

Resolve for Fire Proof Building for Public Records.
January 31st, 1818.

THE Committee appointed to inquire into the state of the public records of this Commonwealth, and of the State House, so far as it respects safety from fire, and to report thereon by resolve or otherwise, having attended to that subject, ask leave to report :

That owing to some defect in the construction of the flue connected with the room occupied by the Quarter-Master General, the State House has been twice on fire, under circumstances indicating that great danger must have existed of a total destruction of the building ; and although such examination and repairs have been made as the necessity of the case required, yet your Committee have been deeply impressed with the propriety of providing a place of a more safe deposit for the public records of the Commonwealth, than what can be obtained in a building constructed like the present State House, exposed to so great a number of fires, under the care of so many individuals : They therefore recommend, for the adoption of the Legislature, the following resolutions.

By order of the Committee,

JOSIAH QUINCY, *Chairman.*

Resolved, That a fire proof building be erected on some convenient part of the land adjoining the State House, for the purpose of safe keeping all the public records of this Commonwealth.

Resolved, That his Excellency the Governor, by and with advice of the Council, be, and he hereby is authorized to cause such fire proof building to be erected, of such dimensions, and in such manner, as he may deem sufficient; and when completed, to cause all the public records, contained in the State House, to be deposited therein. And his Excellency the Governor be, and he hereby is authorized to draw his warrant on the treasury, for any sum or sums, not exceeding two thousand dollars, from time to time, as the same may be wanted for completing the same.

Resolved, That his Excellency the Governor be, and he hereby is authorized, by and with the advice of the Council, to cause such examination of the State House to be made, by suitable architects or masons, as any indications of danger from fire may suggest to be expedient; and that he be also authorized to draw his warrant on the treasury for any sum or sums, not exceeding five hundred dollars, from time to time, as the same may be wanted, for such repairs and alterations as such examination may show to be necessary.

CHAP. LXXXIX.

Resolve on the petition of William Mingo and others, Indians, on Marshpee Plantation. January 31st, 1818.

THE Committee of both Houses, to whom was referred the petition of William Mingo and others, Indians on the plantation of Marshpee, in the county of Barnstable, praying for the removal of the present Overseers, and for the establishment of some new regulation respecting the said plantation; and also the petition of Jonathan Lindsay and others, native inhabitants and proprietors of lands belonging to the Herring Pond tribe of Indians, so called, in the towns of Plymouth and Sandwich, praying to be freed from the care of Overseers, have attended to that service, and ask leave to report, by way of resolve.

MARK L. HILL, *Chairman.*

On the petitions of sundry Indians in the county of Barnstable,

Resolved, That the Honorable Dudley L. Pickman and William B. Banister, and Benjamin Whitman, Esquire, be Commissioners to visit the tribes of Indians on the plantation of Marshpee, in the county of Barnstable, and also those of the Herring Pond tribe, so called, and make inquiry into the mode and practical effect of the present system of governing and taking care of them; to ascertain, as nearly as may be, the quantity and value of the lands originally holden by said Indians; and what part of the same, in quantity and value, has been alienated, and to what purpose the same has been applied; to state the pre-

sent value of the lands remaining; its annual income, and the debts due from said Indian tribes; with a view particularly to ascertain what alteration and improvement of the present system may be expedient; to report at the first session of the next General Court: And in case of the death or resignation of either of the Commissioners herein appointed, his Excellency the Governor, with the advice of Council, is authorized to appoint some person to supply the vacancy so occasioned.

CHAP. XC.

Resolve granting a Pension to Thurston Card.
January 31st, 1818.

On the petition of Thurston Card, of Woolwich, praying further allowance, in consequence of a wound he received while doing duty in the detached militia;

Resolved, For reasons set forth in said petition, that there be further allowed and paid out of the treasury of this Commonwealth, unto the said Thurston Card, a pension of sixty dollars per annum, for three years from the first day of October, A. D. one thousand eight hundred and seventeen, in semi annual payments; *provided* the said Card should live so long.

CHAP. XCI.

Resolve on the petition of the Trustees of Canaan Academy.
January 31st, 1818.

On the petition of the Trustees of the Canaan Academy,

Resolved, That there be, and hereby is granted to the Trustees of Canaan Academy, their successors in said office or assigns, for the sole use and benefit of said academy, one half of a township of six miles square, from any of the unappropriated lands belonging to the Commonwealth, in the District of Maine, except the ten townships on the Penobscot River, purchased of the Penobscot Indians; and to be subject to all the reservations usual in grants of this

kind; the same half township to be vested in said Trustees, their successors in said office, and assigns forever, for the sole use and benefit of said academy; reserving four hundred acres, one half for the use of schools, the other half for the use of the ministry therein; the same half township to be laid out under the direction of the Commissioners of the Land Office, at the expense of said Trustees, as soon as satisfactory evidence shall be produced to them, that the sum of three thousand dollars has been subscribed and secured to said Trustees, towards a permanent fund for the use and benefit of said academy, in addition to their buildings: *Provided* the said Trustees, within five years from and after the laying out and location of the same half township aforesaid, cause ten families to be settled thereon: *And provided also,* that said Trustees give bond to the Treasurer of the Commonwealth, faithfully to apply the proceeds and avails of said half township, to the sole use and benefit of said academy.

And be it further resolved, That the said half township of land shall be located agreeably to the foregoing provision, within two years from the first day of June next, otherwise this grant shall be void.

CHAP. XCII.

Resolve on the petition of the Justices of the Court of Sessions for the county of Washington.

February 5th, 1818.

Resolved, For reasons set forth in said petition, that the doings of the Clerk of the Circuit Court of Common Pleas, (acting as Clerk of the Court of Sessions) for the county of Washington, in apportioning the county tax for said county for the year one thousand eight hundred and seventeen, be, and the same is hereby made valid in law; and for the like reason, that the doings of the Justices of the Court of Sessions for the said county of Washington, in examining the Treasurer's account for the same year, and in making the estimate for the year one thousand eight hundred and eighteen, shall be, and is hereby made valid in law.

CHAP. XCIII.

Resolve respecting Rhode Island Boundary Line.
February 3d, 1818.

The Committee of both Houses, to whom was referred so much of his Excellency's Message as relates to the boundary line between the state of Rhode Island and this Commonwealth, have had the same under consideration, and ask leave to submit the following report.

JAMES ELLIS, *Chairman.*

That they find the Legislature of this Commonwealth, on the second day of February, A. D. one thousand eight hundred and ten, passed a resolve, authorizing the Governor of said Commonwealth to appoint Commissioners to ascertain and settle the north line and boundaries of said state of Rhode Island; that by virtue of said resolve, the Governor did appoint Edward H. Robbins, Nicholas Tillinghast, and Nahum Mitchell, Esquires, (all of whom are now living) Commissioners, for the purpose aforesaid; that said Commissioners always have been, and now are ready, when notified by the Commissioners of the state of Rhode Island, to attend to the subject of their appointment; that the Commissioners of the respective states have had several meetings, which have terminated in a mutual agreement to survey the line antiently established. This survey has been in part accomplished, and will at any future time be fully completed, on notice being given by the Commissioners on the part of the state of Rhode Island for that purpose; Therefore,

Be it Resolved, That said Commissioners on the part of said Commonwealth be continued, and that they be, and hereby are vested with as ample powers for the purpose aforesaid, as are granted to the Commissioners of the state of Rhode Island, with special power and authority to renew, erect and establish a permanent Monument at Woodward and Saffrey's Station, (so called) and to erect and establish such other monuments on the boundary line, and at such other places as they may judge expedient.

CHAP. XCIV.

Resolve on the petition of Joseph Field and Jeremiah Gore.
February 3d, 1818.

On the petition of Joseph Field and Jeremiah Gore, stating that they are owners and occupants of brick buildings on Boston Neck, and that the northerly and easterly sides of the same have been covered with clapboards, to protect the same from the great range of the northerly and easterly winds, to which the same are exposed ;

Resolved, That the said houses may be and remain covered with clapboards, as aforesaid, any law to the contrary notwithstanding : *Provided however,* that whenever, in the opinion of the Firewards of the town of Boston, the security of the said town from fire shall require that the said coverings of the said houses should be removed, and upon notice thereof given, the said Joseph Field and Jeremiah Gore, or any person holding the same houses shall forthwith remove the said coverings therefrom.

CHAP. XCV.

Resolve on the petition of Robert Hubbard and others.
February 3d, 1818.

On the petition of Robert Hubbard, of Angelica, in the state of New York, and Theodore Barnard, of Deerfield, in the county of Franklin, praying that some suitable person may be authorized and empowered to make sale of all the real estate whereof the said Theodore and Lucy Barnard his wife, are possessed in her right, in Shelburne, in said county of Franklin ; and that the proceeds thereof, be applied to the support of the said Lucy ;

Resolved, That for reasons set forth in said petition, William Wells, Esquire, of Shelburne aforesaid, be, and he is hereby authorized and empowered to sell all the real estate, whereof the said Theodore and Lucy are possessed in her right, in said town of Shelburne ; and to make and execute good and sufficient deed or deeds thereof, to the purchaser or purchasers, the proceeds thereof to be applied

to the support of the said Lucy, during her life: *Provided*, that said William Wells first give bond to the Judge of Probate for the county of Franklin, with sufficient surety or sureties, that the proceeds of the sales of said estate, shall be faithfully applied to the support of the said Lucy, during her natural life.

CHAP. XCVI.

Resolve on the petition of the Inhabitants of Orangetown.
February 3d, 1818.

On the petition of the inhabitants of plantation number twelve, or Orangetown, in the county of Washington,

Resolved, For reasons set forth in said petition, that five hundred dollars be granted and paid out of the public treasury of this Commonwealth, to the inhabitants of plantation number twelve, or Orangetown, in the county of Washington, to be applied to the making a road through said plantation, to be laid out and expended under the direction of the Commissioners of the Land Office.

CHAP. XCVII.

Resolve remitting to the town of Fairhaven their State Tax.
February 3d, 1818.

THE Committee of both Houses, to whom was referred the petition of the town of Fairhaven, praying that they may have relief with regard to the assessment of the state, town, and county taxes for said town, for the year eighteen hundred and fourteen; the same having been illegally assessed, through a misunderstanding of the petition, that the

Resolved, For reasons set forth in said petition, that they are hereby authorized and directed to assess the Assessors of said town of Fairhaven, on the polls and estates subject to taxation in said town, the sum of three thousand, seven hundred and ninety dollars and seventy-three cents, which said sum is the amount of the taxes erroneously assessed as aforesaid to issue their war-

rants in due form of law, to collect the same, and to proceed in all respects, as in the assessment and collection of other town taxes: *And be it further resolved,* that the sum, which any person has paid on the assessment thereof, which was formerly and erroneously made as aforesaid, and which he or she has not received or recovered back, shall be deducted from the sum or sums, in which he or she shall be assessed in the assessment authorized by this resolve.

And be it further resolved, That the Treasurer of said town of Fairhaven, is hereby authorized and directed to pay out of the treasury, of any monies now in the same, not otherways appropriated, the additional sum of two hundred and twenty-eight dollars and seventy eight cents, being the amount of damages, costs and charges, expended and paid in defending a suit brought against the Assessors of said town, for their former erroneous assessment of said sum, to be paid on an order to be drawn upon him by the Selectmen of said town, for that purpose.

CHAP. XCVIII.

Resolve on the petition of Edmund Bridge.
February 4th, 1818.

On the petition of Edmund Bridge and others, and for reasons set forth in said petition,

Resolved, That the said Edmund Bridge be authorized and empowered to warn a meeting of the proprietors of the Upper Bridge on Eastern River, to be holden at his dwelling house in Dresden, on Tuesday, the fifth day of May next, at two o'clock in the afternoon, for the purpose of choosing a Clerk, and other officers, necessary for managing the business of said proprietors and corporation; and to agree upon a method of calling future meetings, by causing a notification thereof to be published in one of the newspapers printed in Hallowell, at least fourteen days before the time appointed for holding said meeting.

CHAP. XCIX.

Resolve on petition of Joseph Treat. February 4th, 1818.

On the statement of the Commissioners of the Land Office, who were required, at the last session of the General Court, to report on the petition of Joseph Treat,

Resolved, That said Commissioners be, and they are hereby authorized and empowered to receive from Joseph Treat, of Bangor, in the county of Penobscot, Esquire, a conveyance and release to the Commonwealth of all his right, title and estate in the lands conveyed to him by the Honorable Salem Towne, as Agent for the Commonwealth, by deed, dated the nineteenth day of June, in the year of our Lord one thousand eight hundred and six, as therein described and set forth, excepting one hundred acres, since sold by said Treat, to Stephen Page, in right of Joseph Page, as a settler; and to accept the same in satisfaction of the said Treat's bond, dated the nineteenth day of June, one thousand eight hundred and six, made to the Treasurer of the Commonwealth for the payment of four several sums of six hundred thirty-three dollars each, with interest, in annual instalments, according to the condition of said bond; and thereupon to certify the same to said Treasurer, who is hereby authorized to deliver up the same to said Treat; and the said Commissioners are authorized to sell and convey to the settlers on said land, or their assigns, not exceeding eleven in number, who contracted with the aforesaid Salem Towne, each for one hundred acres of the aforesaid land, at the price of one dollar per acre, with interest from the said nineteenth day of June, one thousand eight hundred and six, and credit them respectively for their proportion of six hundred thirty-three dollars, paid into the treasury by said Treat, at the time of receiving the aforesaid deed, on account of said settlers, as he now alleges; and upon their paying the respective balances due on their several lots to the Commissioners of the Land Office, within two years from the passing of this resolve, to make deeds of said lots to said settlers respectively, from time to time, as they shall severally comply with the conditions herein provided; and no person shall hereafter be considered as entitled to any claim to said lots, who shall not avail himself of the benefits of this resolve within the said term of two years.

CHAP. C.

Resolve for County Taxes. February 5th, 1818.

WHEREAS the Treasurers of the following counties have laid their accounts before the Legislature, which accounts have been examined and allowed: And whereas the Clerks of the Courts of Sessions for said counties have exhibited estimates made by the said Courts, of the necessary charges which may arise within the said several counties, for the year ensuing, and of the sums necessary to discharge the debts of the said counties;

Resolved, That the sums annexed to the several counties contained in the following schedule be, and the same are hereby granted as a tax for each county, respectively; to be apportioned, assessed, paid, collected and applied for the purpose aforesaid, according to law.

Somerset, two thousand two hundred dollars,	$ 2,200	
Penobscot, two thousand two hundred dollars,	2,200	
Oxford, three thousand dollars,	3,000	
Hancock, six thousand five hundred dollars,	6,500	
Washington, one thousand eight hundred and thirty dollars,	1,830	
Franklin, three thousand two hundred dollars,	3,200	
Worcester, four thousand five hundred dollars,	4,500	
Hampshire, three thousand dollars,	3,000	
Cumberland, eleven thousand six hundred and twenty dollars and seventy-eight cents,	11,620	78
York, five thousand dollars,	5,000	
Bristol, eleven thousand dollars,	11,000	
Barnstable, one thousand three hundred dollars,	1,300	
Berkshire, six thousand dollars,	6,000	
Kennebec, four thousand eight hundred dollars,	4,800	
Norfolk, eight thousand one hundred and fifty dollars,	8,150	
Hampden, four thousand dollars,	4,000	
Essex, seventeen thousand five hundred dollars,	17,500	
Middlesex, ten thousand dollars,	10,000	
Lincoln, six thousand dollars,	6,000	

CHAP. CI.

Resolve on petition of Nehemiah Porter.
February 5th, 1818.

On the petition of Nehemiah Porter, of North Yarmouth, in the county of Cumberland, yeoman, and Sylvia Porter, Administratrix on the estate of Sylvanus Porter, late of said North Yarmouth, deceased, and widow of said deceased, shewing that in the life time of the said Sylvanus Porter, the said Nehemiah Porter and Sylvanus Porter, did agree to exchange a certain quantity of lands with each other, upon the following conditions, viz.: the said Nehemiah agreed to sell and convey unto the said Sylvanus by deed, four acres of land next Gray line, on the westerly side of the road leading to Gray, aforesaid; and the said Sylvanus agreed to sell and convey unto the said Nehemiah ten acres of land next Royal's river, on the easterly side of the aforesaid road, adjoining land of the said Nehemiah, for the aforesaid four acres, and forty dollars in cash. And upon the aforesaid agreements by them made, although there was no deeds passed between them, both parties having made improvements upon the said pieces of land, so as that it will be greatly to the injury of both estates not to have the aforesaid lands conveyed according to their intentions and agreements in the life time of the said Sylvanus: And praying that the said Sylvia Porter may, in her said capacity of Administratrix and widow of said deceased, be authorized to make and execute unto the said Nehemiah Porter, a deed of said ten acres of land. And also that she, the said Sylvia, may be authorized in her said capacity to receive from the said Nehemiah Porter a deed of the said four acres of land, so as it shall be a part of the real estate of said deceased, as if said deed had been made to him in his life time;

Resolved, For reasons set forth in said petition, that the said Sylvia Porter be, and she is hereby authorized to convey the said ten acres of land to the said Nehemiah Porter, his heirs and assigns forever, by a good and sufficient deed, to have and to hold the same, with the appurtenances, in as full and ample a manner as if the same had been conveyed by the said Sylvanus in his life time. And she, the

said Sylvia, is hereby authorized, in her said capacity, to receive from the said Nehemiah, a good and sufficient deed of the said four acres of land, with the appurtenances, to her, in her said capacity, and to the heirs and assigns of the said Sylvanus Porter, deceased, whereby the same shall be holden as part of the real estate of said deceased, in the same manner it would have been, if conveyed to the said Sylvanus Porter in his life time.

CHAP. CII.

Resolve on petition of Zebulon Spaulding. February 5th, 1818.

Resolved, For reasons set forth in said petition, that the Treasurer of this Commonwealth be, and he is hereby directed to issue to the said Zebulon Spaulding, a new state note of the same tenor and date, as the note lost, that is a note numbered four hundred and ninety, and dated the fourth of September, one thousand eight hundred and ten, for the sum of ninety-seven dollars and thirteen cents, and to endorse thereon the interest that has been paid; he the said Zebulon Spaulding first making affidavit before some Justice of the Peace, to the truth of the facts stated in his said petition, and filing the same in said Treasurer's office, and giving bonds to said Treasurer, in the penal sum of three hundred dollars, with one or more sureties, to secure the Commonwealth against any loss that may happen in consequence of the renewal of said note.

CHAP. CIII.

Resolve respecting Deaf and Dumb. February 5th, 1818.

The Committee of both Houses, who had under consideration the report of the Secretary of this Commonwealth, relative to the number and condition of the deaf and dumb persons within the same, ask leave to report,

That they have bestowed all that attention to the subject, that time and their limited means of information have afforded. That as the present age is distinguished for

works of benevolence and philanthropy, the situation of the unhappy persons to which the attention of the Legislature has now been called, is far from being unworthy the notice and paternal regard of the government.

Your Committee were desirous, not only of communicating with intelligent men in this Commonwealth, on the subject under consideration, but to extend their inquiry to other states, as it is known that in the state of Connecticut, an institution for the amelioration of the condition of the deaf and dumb has commenced its operations under flattering prospects of success; but legislative duties, and an approximation to the close of the session, has rendered this object of your Committee unattainable.

It may be a subject not unworthy of inquiry, whether one establishment of this kind would not be sufficient for the New England States, and whether some or all of those states and the opulent individuals therein, will not be disposed to contribute toward such an establishment: Therefore your Committee ask leave to offer the following resolution, which is submitted by

MARK LANGDON HILL, *Per Order.*

Resolved, That the Honorable John Phillips, President of the Senate, the Honorable Timothy Bigelow, Speaker of the House of Representatives, and the Honorable Richard Sullivan, be a Committee, in the recess of the Legislature, to consider the situation and circumstances of the deaf and dumb, to extend their inquiries, so far as is practicable as to the views of the neighboring states in relation to this subject, to see what aid this Commonwealth can, in their opinion, consistently bestow in promoting an institution for improving the condition of these persons, and the most eligible mode of carrying the same into effect—to report at the first session of the next General Court.

CHAP. CIV.

Resolve on the petition of Bartholomew Hounsfield.
February 5th, 1818.

On the petition of Bartholomew Hounsfield, formerly residing in England, and now residing in the city of New

York, in the state of New York, with the intention of becoming a citizen of the United States ;

Resolved, That the said Bartholomew Hounsfield be, and he hereby is allowed to purchase and to hold in fee simple, lands within the Commonwealth of Massachusetts, the alienage of said Hounsfield notwithstanding.

CHAP. CV.

Resolve for building a Bridge over Deerfield River.
February 6th, 1818.

On the petition of Benoni Pratt and others,

Resolved, For reasons set forth in said petition, that the Court of Sessions for the county of Franklin, at their next term, to be holden at Greenfield, in and for the said county of Franklin, on Tuesday, the twenty-fourth day of March next, be authorized and empowered to hear any petition, statement and request, from any person or persons, inhabitants of said county, praying for aid and assistance to build and complete a bridge at the Falls over Deerfield River, between the towns of Shelburne and Buckland, in said county : And the said Court of Sessions are hereby authorized and empowered to grant and allow such sum of money as they may think just and proper, for the purpose abovementioned, not exceeding the sum of fifteen hundred dollars ; to be drawn from the treasury of said county, to be appropriated toward the building and completing said bridge, at the place aforesaid, as they may think just and proper. And if they consider it expedient, to appoint an Agent, to superintend the laying out of the same.

Resolved, That the said Benoni Pratt cause a copy of this resolve to be published in the Franklin Herald, published in Greenfield aforesaid, in two successive newspapers, before the time for holding said Court, that any town within said county may appear by their Agents or Attornies, and object and shew cause, if any they have, why an allowance ought not to be made for the building and completing said bridge.

CHAP. CVI.

Resolve confirming the records and doings of the town of Fayette. February 6th, 1818.

On the petition of the Selectmen of the town of Fayette, in the county of Kennebec, in behalf of said town, representing, that in the records of the Selectmen's warrants for calling town meetings, the representations of the seals on said warants are, in several instances, omitted; and in others, the Town Clerk has not attested the town records. And in several instances, the certificates of the oaths of those who were sworn into office are not recorded or preserved in any other way, and praying relief therein; Therefore,

Resolved, For reasons set forth in said petition, that the records and doings of said town, and the doings of the officers thereof, are hereby confirmed, and made good and valid, to every intent and purpose, as repects their records, any supposed defect in the foregoing particulars notwithstanding.

CHAP. CVII.

Resolve on the petition of Henry C. Brown. February 6th, 1818.

THE Committee of both Houses, to whom was referred the petition of Henry C. Brown, praying that his accounts against the Commonwealth may be allowed and paid; report that the petitioner, having satisfied the Committee that the accounts were twice forwarded within the time prescribed by law, to persons then in Boston, to be laid before the Committee on Accounts, but from unforeseen and unavoidable accidents, it was not done; the Committee, considering that, under such circumstances, he ought not to be debarred from proving his claim, recommend passing the following resolve:

Resolved, That the Committee on Accounts be authorized and directed to receive and examine the accounts of Henry

C. Brown, Esquire, and allow him such sum or sums, as may appear to them justly due on his accounts against the Commonwealth, notwithstanding the statute of limitations.

CHAP. CVIII.

Resolve on petition of Indians at Christiantown.
February 6th, 1818.

On the petition of sundry Indians living at Christiantown, in Dukes' County,

Resolved, That the Guardians appointed in pursuance of an act, entitled "An act for the protection of the Indians and their property, in that part of Dukes' County, known by the name of Christiantown," be, and they hereby are required to lodge in the office of the Secretary of this Commonwealth, within three months from the passing of this resolve, an account of all lands sold by the Indians, under their guardianship, with consent of the said Guardians, since the passing of the act herein named, stating particularly to whom sold, and the consideration paid for the same, and to whom, and in what manner paid: and the Secretary is directed to lay the same before the next General Court, at their first session.

CHAP. CIX.

Resolve on petition of Levi Crawford.
February 6th, 1818.

Upon the petition of Levi Crawford, representing that at the term of the Supreme Judicial Court holden at Worcester, within and for the county of Worcester, on the fourth Tuesday of September last, he recovered judgment against one Benjamin Read, in an action *qui tam*, upon the statute for restraining the taking of excessive usury, for the sum of one hundred and fifty dollars, debt, one moiety thereof to the use of the Commonwealth; and that the whole sum of said judgment is very inadequate to his indemnity for the costs incurred in the prosecution of said action, and the ex-

cess of usury paid to said Read, and praying that the Commonwealth would release to him their moiety of the sum recovered in said judgment;

Resolved, For reasons set forth in said petition, that the moiety of the debt recovered in the action aforesaid, to the use of the Commonwealth, be, and the same hereby is released to the said Levi Crawford, and that he hereby is authorized to receive and retain the same to his own use, and to discharge the execution which may have issued on said judgment accordingly, without accountability to the Commonwealth for any part thereof.

CHAP. CX.

Resolve further directing the Secretary of State in the purchase of the several volumes of the Reports of the Decision of the Supreme Court. February 9th, 1818.

On the petition of William Hilliard and Jacob A. Cummings, proprietors of the Massachusetts Term Reports, praying for an additional allowance for the copies of said reports, which are furnished to the Commonwealth,

Resolved, For reasons set forth in said petition, that the Secretary be, and he is hereby authorized to allow and pay fifty cents for the thirteenth volume, and for the next subsequent volume that shall be published by said proprietors of the Reports of Cases argued and determined by the Supreme Judicial Court, in addition to the sum allowed therefor, by the resolves passed the fourteenth and twenty-sixth of February, A. D. one thousand eight hundred and eleven, and that the price shall be limited to two dollars and seventy-five cents, for each copy of said work, delivered to the Secretary in good sheep binding.

CHAP. CXI.

Resolve on petition of Christopher Patten. February 9th, 1818.

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the treasury of this Common-

wealth, to Christopher Patten, his heirs, executors, administrators and assigns, for the benefit of him and his brethren in Pittsfield, called Shakers, one hundred and twenty dollars, for time and expenses in pursuing and apprehending one John Eddy, out of any monies that now are, or hereafter may be collected upon the recognizance of the said John and his sureties, in which the said John stood bound to appear, before the Justices of the Supreme Judicial Court, at a term thereof, begun and holden at Lenox, within the county of Berkshire, on the second Tuesday of September last past, to answer to such matters and things as might be objected against the said John, on behalf of this Commonwealth; and more especially to the complaint of the said Christopher, for stealing a horse, which recognizance became forfeited to the Commonwealth.

CHAP. CXII.

Governor's Message. February 10th, 1818.

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

The Secretary will lay before you a letter I have received from the Governor of the state of Tennessee, and sundry resolves of the legislature of that state.

I have at the same time to inform you that Brigadier General Edward Russell, who was elected by the two branches of the legislature on the fourth of the present month, a Major General to command the twelfth division of the militia of this Commonwealth, has declined to accept the appointment.

J. BROOKS.

Council Chamber, February 10th, 1818.

CHAP. CXIII.

Resolve confirming the doings of Jonathan Perkins, as a Coroner for Kennebec County. February 11, 1818.

Whereas Jonathan Perkins, a Coroner of the county of Kennebec, has neglected to give bond as the law requires,

and yet has served divers writs and processes, and performed other official duties,

Resolved, therefore, That all writs and processes which have issued from good and lawful authority, directed to the Coroners of the county of Kennebec, and which have been served and executed by the said Jonathan Perkins, and all other official acts by him done, since he has been commissioned and sworn, shall be as good and valid as if he had given bond according to law, any law to the contrary notwithstanding: *Provided,* that nothing herein contained shall be construed to affect any action now pending for the neglect or omission of the said Jonathan Perkins, or impair his personal responsibilities for such omission or neglect.

CHAP. CXIV.

Reslove granting one hundred dollars for expenses of Penobscot Indians. February 11th, 1818.

On the petition of the Penobscot tribe of Indians,

Resolved, That there be paid out of the public treasury of this Commonwealth, to Amasa Davis, Esquire, Quarter-Master General, one hundred dollars, to enable him to defray the necessary expenses of two of said tribe in travelling to, attending upon, and returning home from the General Court, where they have attended the present session, on business, he to be accountable for the same.

CHAP. CXV.

Resolve confirming the records and doings of the town of Braintree. February 12th, 1818.

On the petition of the town of Braintree, praying for the confirmation of the records and proceedings of said town, notwithstanding certain irregularities and neglects respecting the same;

Resolved, For reasons set forth in said petition, that the records and proceedings of said town be, and the same are hereby confirmed and made valid in law, to all intents and

purposes, the want of a proper record of the return of the Constables, who have warned their meetings from time to time, or any other irregularities or neglects respecting the same, notwithstanding.

CHAP. CXVI.

Resolve confirming the records and doings of the First Parish in Braintree. February 12th, 1818.

On the petition of the first parish in Braintree, praying for the confirmation of their records and proceedings, notwithstanding certain irregularities and neglects respecting them;

Resolved, For reasons set forth in said petition, that the records and proceedings of said parish be, and the same are hereby confirmed and made valid in law, to all intents and purposes, the want of a proper record of the return of the Constables who have warned their meetings, from time to time, or any other irregularities or defects respecting the same, notwithstanding.

CHAP. CXVII.

Resolve remitting Taxes to sundry places. February 13th, 1818.

On the statement of the Treasurer of this Commonwealth, in relation to taxes appearing by his book to be due from sundry plantations and other places;

Resolved, For reasons set forth in said statement, that the sum of seven dollars be remitted to the town of Lancaster, in the county of Worcester; this sum appearing to be a balance due on a tax apportioned on said town in eighteen hundred and five, and has remained undischarged through error. Also, that the sum of thirty-eight dollars, sixty-six cents, be remitted to Little River Plantation, (as called) in the county of Lincoln, said sum having been apportioned on said plantation, in one thousand eight hundred and eight, being after said plantation was annexed to the

town of Lisbon. Also that the sum of seventy-one dollars and ninety-eight cents be remitted to a place called Collamore's Ridge, in the county of Lincoln aforesaid, being an apportionment set to said ridge, in eighteen hundred and twelve, and five succeeding years, although said place was annexed to, and under the jurisdiction of the town of Putnam, previous to said year of eighteen hundred and twelve. Also that the sum of sixty-nine dollars, thirty-two cents be remitted to Patrick Town Plantation, and is the amount of assessments laid on said place, in eighteen hundred and twelve, eighteen hundred and fifteen, eighteen hundred and sixteen, and eighteen hundred and seventeen; although resolves were passed in February, eighteen hundred and fourteen, and February, eighteen hundred and fifteen, remitting to this place such tax as was set to them in eighteen hundred and thirteen and eighteen hundred and fourteen; and excusing them from paying taxes or choosing plantation officers, until further order of the General Court. Also that the sum of twenty-four dollars be remitted to the inhabitants of Ervin's Grant, in the county of Franklin, this sum being assessed on said grant in eighteen hundred and fourteen, although this place was not, at this time, so organized, as to choose Assessors. Also that the sum of forty-eight dollars be remitted to the inhabitants living on the gore of land lying north of Florida, in the county of Berkshire; and said sum is the amount of taxes assessed on said inhabitants, for six years next preceding the year eighteen hundred and eighteen; and is remitted in consequence of there not being any Assessors appointed for this place, and the inability of said inhabitants in making payment.

Also it is further resolved, That the Honorable Daniel Sargent, Treasurer as aforesaid, be, and he hereby is empowered and directed to place to the credit of the aforesaid tax debtors, the several sums remitted to them respectively, in order that his books be closed agreeable to the tenor of this resolve.

CHAP. CXVIII.

Resolve on petition of Proprietors of Nantucket Academy.
February 13th, 1818.

Upon the petition of Roland Gelston and others, being a majority in number and value, of the proprietors of the Nantucket Academy, praying for the appointment of a Committee to settle and close the concerns of the said academy, the same having ceased to be in operation, according to the intent of the act of incorporation;

Resolved, That Roland Gelston, physician, Robert Folger, Peter Chase, David U. Giles, and Thomas Hiller, merchants, and all of the Island of Nantucket, being five of the proprietors of said academy, or any three of them, be, and they hereby are authorized and empowered to make and execute a deed to the Commonwealth, conveying and releasing all right which the said proprietors of Nantucket Academy now have in their corporate capacity, to the one half of a township, which was granted to said academy in the act of incorporation, bearing date the third day of March, in the year of our Lord one thousand eight hundred and one, but which said half township has never been located or assigned to said proprietors. And the said Roland Gelston, Robert Folger, Peter Chase, David U. Giles, and Thomas Hiller, or any three of them, are hereby further authorized and empowered in the name and behalf of said corporation, to collect all debts due to the same, and to sell at public auction or private sale, at their discretion, all the property, real, personal or mixed, of the said corporation, and good and sufficient deed or deeds, thereof, to execute and deliver to the purchaser or purchasers of the same, according to law. And after paying all debts, and all the reasonable costs and charges attending said sale, and the settlement of said concerns, the net proceeds divide to, and among the proprietors and their representatives, according to their several and respective proportions of the same.

CHAP. CXIX.

Resolve appointing a Committee to revise the Criminal Code. February 13th, 1818.

Resolved, That the Honorable Isaac Parker, Honorable Charles Jackson, and Honorable Daniel Davis, Esquires, be, and they hereby are appointed a Committee to revise the criminal code of this Commonwealth, to collate the several laws for the punishment of crimes and offences, into one act, with such alterations in the description and punishment of offences, as they may deem necessary, and to report the same to the next General Court, in the form of a bill, for the consideration of the Legislature.

CHAP. CXX.

Resolve on a Report of the Commissioners of the Land Office. February 13th, 1818.

Whereas the Penobscot tribe of Indians, in virtue of various resolves and doings of the government of Massachusetts, are in possession of a tract of land, extending on both sides the Penobscot River, the width of six miles, and up said river from the north line of the nine townships of land released by said tribe to this Commonwealth, by their deed of August eighth, one thousand seven hundred and ninety-six, an indefinite extent up said river, for special uses, but excluded from the right of cutting timber thereon; and they are in the continual exercise of acts of absolute ownership thereof, by selling and disposing of timber, to the great diminution of the value of the lands, and the exclusion of all settlements thereon, and no part thereof is cultivated for their use; the connexion which this tribe have with the aforesaid lands operates to prevent settlements on the adjoining lands of the Commonwealth, and presents a material obstacle to the sale and settlement of the public lands in that section of the District of Maine; and this tribe, notwithstanding the many advantages of hunting, fishing, and of cultivating their cleared ground on the fertile islands they own, by aid that hath been afforded by the government of

this Commonwealth, to instruct them in the arts of husbandry, with the addition of the regular payment of a considerable annuity for the lands by them released as aforesaid; are poor and destitute, as is abundantly proved by their frequent applications to the General Court for relief. To provide for the more comfortable support of said tribe of Indians, and a more advantageous accommodation for the surplus population of the old towns in Massachusetts, by settling on this valuable territory, than can be found elsewhere; and the said tribe having, by their petition to the Legislature, in the present session, manifested a desire to release their claims to ten townships of said land to the Commonwealth; it has become the duty of the Legislature at this time, to provide for extinguishing their claim to a proportion of the aforesaid lands; and it being consonant to usage, and the expectation of all Indian tribes, and the peculiar desire of this Legislature, that all business transactions with the said tribe of Indians shall be conducted in an open, public and deliberate manner, with a view to their benefit, by giving them an equivalent for whatever rights they may relinquish, in articles of substantial use and benefit to them, and in providing means to improve their habits and condition in life, in a manner satisfactory to themselves, and advantageous to the Commonwealth: Therefore,

Resolved, That his Excellency the Governor, with advice of Council, be, and he hereby is authorized and empowered to appoint and commission three suitable persons, to treat with the Penobscot tribe of Indians, at Bangor, on the last Wednesday of June next, and at such other times and places as shall be mutually agreed upon, for the purpose of examining into the circumstances and situation of the said tribe of Indians, and the lands they possess; and devising and arranging some means, for improving their conditions as men, and of agreeing with them for a relinquishment of their right and claim to such parts of the land on both sides the Penobscot River, and such islands in said river, as the tribe now possess or claim, and shall be inclined voluntarily and freely to dispose of, for an equivalent to be agreed upon with them; payment not exceeding five hundred dollars in cash, and the residue annually, at said river, in articles of necessary use for their support, and in providing means for the improvement of the temporal condition of said tribe, with power and authority

to receive from said tribe, to the use of the Commonwealth, deeds of conveyance and release of all such lands, and to execute to them in behalf of the Commonwealth, any deeds, contracts and covenants that may be necessary to the full execution of the powers and duties of their appointment; and said Commissioners are further authorized and empowered to agree with said tribe of Indians, as to the future possession of any lands on or near said river, and to determine the tenure by which they shall hold and use the same, and to agree upon and fix the bounds and extent thereof.

And be it further resolved. That there be paid out of the public treasury to said Commissioners the sum of six hundred dollars, to enable them to perform the duties hereby assigned them, they to be accountable to the General Court for the same within one year; and the Quarter-Master General is hereby directed to provide said Commissioners with such articles as they shall require of him, to enable them to pursue and effect the business of their appointment.

CHAP. CXXI.

Resolve on the petition of Benjamin Frye.
February 14th, 1818.

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the treasury of this Commonwealth, unto Benjamin Frye, of Kittery, the sum of forty-four dollars, in full for medicine, attendance, board and nursing, while called out to do military duty in the detached militia, in the year one thousand eight hundred and fourteen.

CHAP. CXXII.

Resolve on the memorial of Honorable Joseph Allen.
February 14th, 1818.

Resolved, That the Honorable Joseph Allen, of Worcester be, and he hereby is appointed the Agent of this Commonwealth, with authority to sell and convey, by good and sufficient deed or deeds, all the right, title and interest the

Commonwealth has, by virtue of mortgage deeds made and executed by Henry Prentice and Bartholomew Cheever, both of Princeton, in the county of Worcester, and to certain lands described in said deeds, with full power to lease the said lands, until the same can be sold; the said Agent to sell or lease the same together, or in parcels, as shall, in his judgment, be most beneficial to the Commonwealth; and in case of sale of all or any of said lands, the said Agent is hereby authorized to accept one tenth part of the purchase money at the time of sale, and the residue to be payable at such time as he may agree with the purchaser, or purchasers, not exceeding three years from the time of sale, with lawful interest thereon, to be secured by mortgage, or in such other way as the said Agent may consider best for the interest of this Commonwealth; the said Agent to account with the Treasurer of this Commonwealth, for the time being, for the proceeds of any sale or lease which he may make of the lands aforesaid, or any part thereof, after deducting his account of expenses attending the same; which account the said Treasurer is hereby authorized to audit and settle with the said Agent, on behalf of this Commonwealth.

CHAP. CXXIII.

Resolve granting compensation to Kilborn Whitman, Esquire, for services and expenses, as Agent of the Commonwealth. February 16th, 1818.

Resolved, That there be allowed and paid out of the treasury of this Commonwealth, to Kilborn Whitman, Esquire, one hundred and fifteen dollars and twenty-five cents, in full for his services and expenses, as Agent for this Commonwealth, under the resolve of June eleventh, A. D. one thousand eight hundred and seventeen.

CHAP. CXXIV.

Resolve on petition of Winslow Lewis and others. February 17th, 1818.

Resolved, That the volunteer company of Sea Fencibles,

raised under the resolve of the sixth day of June, one thousand eight hundred and seventeen, shall consist of those who are or have been, or may hereafter be masters, mates or supercargoes of vessels; *provided* that the number who have been only supercargoes, shall never exceed one eighth of the whole company.

CHAP. CXXV.

Resolve to suspend the prosecution of the sureties of John McMillan, late Sheriff of Oxford. February 17th, 1818.

On the petition of Daniel Clement and Henry Y. B. Osgood, two of the sureties of John McMillan, late Sheriff of the county of Oxford, now deceased, representing that the estate of said McMillan appears to be insolvent and is unsettled, and praying that they may be indulged with a delay of payment of the sum which the sureties of the said Sheriff are holden to pay for him, to this Commonwealth:

Resolved, For reasons set forth in said petition, that the sureties of John McMillan, late Sheriff of the county of Oxford, be allowed until the third Wednesday of the second session of the next General Court of this Commonwealth, to pay the sum which they are holden to pay, as sureties of the said Sheriff; and that the Treasurer of this Commonwealth be, and he is hereby directed to suspend the prosecution of the sureties of said Sheriff accordingly.

CHAP. CXXVI.

Resolve on petition of George Reed. February 17th, 1818.

Resolved, For reasons set forth in said petition, that forty dollars be granted and paid out of the public treasury to the said George Reed, from the money which the Commonwealth has received from the forfeiture of the recognizance of Aaron Whitney, wherein he was bound to appear at the Municipal Court for the town of Boston; and his Excellency the Governor is requested to issue a warrant on the Treasurer for the payment thereof accordingly.

CHAP. CXXVII.

Resolve confirming the doings of the town of Cornville.
February 17th, 1818.

On the petition of the Selectmen of Cornville,

Resolved, For the reasons set forth in the said petition, that the doings of the said town of Cornville be, and they are hereby confirmed and made valid, the omission of the recording the warrants for calling town meetings, the omission of the seals, and the attestation of the Town Clerks, and swearing the town officers, and being in some instances informal and illegal, notwithstanding: *Provided however*, that nothing shall be hereby understood or extend to affect any action or cause now pending before any Justice of the Peace, or in any Judicial Court.

CHAP. CXXVIII.

Governor's Message. February 17th, 1818.

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

The Secretary will lay before you, two letters from the Governor of the state of Vermont, dated the twenty-fourth of January last; one of them relating to an amendment of the Constitution of the United States, proposed by this state. The other relating to an amendment of the Constitution of the United States, proposed by the state of Kentucky; together with sundry resolves of the Legislature of Vermont upon those subjects.

J. BROOKS.

Council Chamber, February 17th, 1818.

CHAP. CXXIX.

Resolve directing the conveyance of Eastern Lands.
February 17th, 1818.

On the representation of the Commissioners of the Land Office,

Resolved, That said Commissioners be, and hereby are authorized, on the terms and conditions expressed in an act for promoting the sale and settlement of the public lands in the District of Maine, to convey to any applicants, not exceeding fifteen in number, who shall within one year from the date hereof, undertake and commence a settlement on the public lands, adjoining the new road from Kennebec towards Canada, and bounding on or near Moose River, each one hundred acres; and the like quantity to a like number, who shall within that time, undertake and commence a settlement on said lands, on some central situation, to be determined upon by said Commissioners, between the rivers Penobscot and St. John's, to be laid out in lots contiguous to each other, or otherwise, as said Commissioners shall judge best calculated to promote the settlement of the public lands in the District of Maine, any provisions of law to the contrary notwithstanding.

And be it further resolved, That there be, and hereby is granted the sum of five hundred dollars, to be paid out of the public treasury, to the Commissioners of the Land Office, to be laid out and expended under their direction, to erect a saw mill, forty-five feet in length, and eighteen in width, with a grist mill under, or adjoining the same, on Hale's Stream, (so called) as near as may be to Moose River; *provided*, persons of sufficient responsibility, in the opinion of said Commissioners, shall undertake to build the necessary dams, and complete said mills fit for use, within two years, receiving the benefit of this appropriation. And when the same shall be completed, said Commissioners are hereby authorized to convey to the party performing the same, fifty acres of land contiguous to said mills, and including in the deed thereof, one half the stream and privilege necessary to said mills; and the use and improvement of said mills shall exclusively belong to the party building the same.

And be it further resolved, That whereas the appropriation made by a resolve of the thirteenth of June last, for the purpose of opening a road from the Penobscot River to the public grants on the eastern line of this Commonwealth, is found to be insufficient, and the public interest requires that the same be pursued to the full extent contemplated by said resolve, that said Commissioners be, and they hereby are authorized to apply any monies that may come into

their hands from the sale of lands or timber, to the objects and duties pointed out by said resolve, not exceeding three thousand dollars, and render an account of the application and expenditure of the same to the General Court, at the session next to be holden after any such expenditure.

And be it further resolved, That said Commissioners be, and they hereby are authorized and directed, in the most economical manner that is practicable, to cause to be opened and made, a road through the several tracts of land belonging to the Commonwealth, adjoining the east side of Penobscot River, and south of the Passadumky Stream, of such dimensions as said Commissioners shall judge will best promote the sale and settlement of those lands, from the proceeds of any lands which they may sell within the nine townships of land on Penobscot river, the sale of which was authorized by another resolve of the thirteenth of June last; *provided* that such expenditure does not exceed the sum of two hundred dollars per mile.

CHAP. CXXX.

Resolve for copying Old Colony Records.
February 17th, 1818.

THE Committee of Senate, to whom was referred an order respecting the records of the Old Colony, and a report of a former Committee thereon, have had the same under consideration, and report, that upon inquiry, they find that the records, files and other documents of the Colony of Plymouth, were, upon the union of that Colony with the province of Massachusetts Bay, left in the Colony. Your Committee have not been able to find what arrangement was made respecting them by the Colony before the union, or by the Province afterwards; but the same remain, and are now deposited in the office of the Registry of Deeds, in the county of Plymouth; and this Committee have not been able to learn what part of said records, or what portion of the said files and documents are valuable or may be useful, to the legislator, the historian, or the antiquarian; that it will not be proper to proceed to transcribe said records, or any part of them, until a previous examination has been made, and the General Court fully informed how far

the Commonwealth are interested therein, or how far it may be useful to remove the collection to the Secretary's Office, that more convenient access may be had to them, by all persons, or how far it may be useful to multiply copies by transcribing or printing the whole records, or any part of them. That the General Court may obtain that information, the Committee ask leave to submit the following resolution. SAMUEL DANA, *Chairman.*

Resolved, That James Freeman, D.D. Benjamin R Nichols, Esquire, of Salem, and Mr. Samuel Davis, of Plymouth, or any one or more of them, be, and they are hereby authorized and empowered to examine the said records, files and documents, and if they shall find the same of right belonging to the Commonwealth, they shall have power to take the same into their custody, for the purpose of a full examination; and they are requested to report how far, in their opinion, it may be proper to have the same deposited in the archives of the Secretary of the State, for the use of legislators, historians, and antiquarians, and how far it may be useful to multiply copies of the whole or any parts of them, for the use of all the people: and they are requested to report an estimate of the expense of printing such part as they may find it is proper to have printed. And they are further requested to make a full report in the premises, at the first session of the next General Court, and to lay their accounts for their expense and services before the Committee on Accounts, for allowance.

Resolved, That the Secretary of the Commonwealth be, and he hereby is directed to deliver a copy of this resolution to any member of the said Committee, as soon as may be.

CHAP. CXXXI.

Resolve making further allowance to Jacob Kuhn, Messenger. February 17th, 1818.

Resolved, That there be allowed and paid out of the public treasury of this Commonwealth, to Jacob Kuhn, Messenger of the General Court, the sum of two hundred and fifty dollars; which, with the sum already allowed him, shall be in full for his services the present year, ending the thirtieth day of May next.

CHAP. CXXXII.

Resolve to confirm the records of the town of Kingfield.
February 17th, 1818.

On the petition of the Selectmen of Kingfield,

Resolved, For reasons set forth in the said petition, that the proceedings and records of Plantation Number Three, west side of Kennebec River, first range of townships, now Kingfield, be, and hereby are confirmed, and made valid, any defect or omission in their records notwithstanding.

CHAP. CXXXIII.

Resolve to confirm the records of the town of Solon.
February 17th, 1818.

On the petition of the town of Solon,

Resolved, For reasons set forth in said petition, that the records of the town of Solon be, and hereby are confirmed and made valid, the omission of recording the oaths of the town officers notwithstanding.

CHAP. CXXXIV.

Resolve on the petition of D. Cobb. February 17th, 1818.

THE joint Committee of both Houses, on the memorial of David Cobb, Esquire, Agent to the Trustees of the estate of the late William Bingham, Esquire, having attended to the memorial, heard the statements of the memorialist, and examined the tax acts since the last valuation, find, that the five million acres sold to said William Bingham, on Kennebec River, has been taxed to the state, as follows:

For 1812, - - - - - -	$145 33	
From which ought to be deducted the proportion of said tax assessed on four and a half townships sold, including the town of Kingsfield,	13 50—Leaves	$131 83

For 1813, - - - - - -	145 33		
Deduct tax on Kingsfield, and land sold as above, - - - -	16 50—Leaves	128 83	
For 1814, - - - - -	197 33		
Deduct as above, - - -	23 33—Leaves	174 00	
For 1815, - - - - -	197 33		
Deduct as above, - - -	23 33—Leaves	174 00	
For 1816, - - - - -	197 33		
Deduct as above, - - -	23 33—Leaves	174 00	
For 1817, - - - - -	197 33		
Deduct as above, - - -	23 33—Leaves	174 00	
Amount of taxes for said years, on the part of said million acres, in the care of said agent,			$956 66

That the taxes on the one million acres sold to said William Bingham, in the counties of Hancock and Washington, are as follows, viz.: in Hancock County,

For 1812, - - - - - -	54 52		
Deduct tax on No. 10, adjoining Steuben,	2 18—Leaves	$52 34	
For 1813, including Representatives pay,	68 15		
Deduct for tax on No. 10, on Mariaville, and land sold, amounting to seven townships, - - - - -	19 11—Leaves	49 04	
For 1814, - - - - - -	66 67		
Deduct as above, - - -	18 34—Leaves	48 33	
For 1815, - - - - - -	66 67		
Deduct as above, - - -	18 34—Leaves	48 33	
For 1816, - - - - - -	66 67		
Deduct as above, - - -	18 34—Leaves	48 33	
For 1817, - - - - - -	66 67		
Deduct as above, - - -	18 34—Leaves	48 33	
Amount of taxes for six years, on lands sold to William Bingham, in county of Hancock, and remaining with the Trustee,			$294 70

That the taxes on that part of said million acres in Washington County, viz.:

For 1812, - - - - - -	$48 53		
Deduct for one and three quarter townships, sold, - - - -	3 50—Leaves	45 03	
For 1813, including Representatives pay,	60 61		
Deduct as above, - - -	4 22—Leaves	55 39	
For 1814, - - - - - -	48 00		
Deduct as above, - - -	3 50—Leaves	44 50	

For 1815, - - - - -	48 00		
Deduct as above, - - -	3 50—Leaves	44	50
For 1816, - - - - -	48 00		
Deduct as above, - - -	3 50—Leaves	44	50
For 1817, - - - - -	48 00		
Deduct as above, - - -	3 50—Leaves	44	50
Amount of taxes on lands, sold to William Bingham, in Washington County, after deducting those on lands sold,		$278	42
Whole amount of taxes, for six years, assessed on lands sold to William Bingham, on Kennebec River,		$1079	98
Deduct for tax assessed on Kingsfield, and on land sold, - - -	$123 32		
Balance of taxes remaining on land, in hands of Trustee, - - -	956 66—	$1079	98
Whole amount of taxes, for six years, assessed on lands sold to William Bingham, in Hancock County,		$389	35
Deduct for taxes on Mariaville, and lands sold, - - - -	$94 65		
Balance of tax remaining on lands in hands of Trustee, - - -	294 70—	$389	35
Whole amount of taxes, for six years, assessed on lands sold to William Bingham, in Washington County,		$301	14
Deduct taxes on land sold, - -	$22 72		
Balance of taxes on lands remaining in hands of Trustee, - - -	278 42—	$301	14
Total amount of Taxes assessed, - - -		$1770	47
Total amount of deductions, - - - -		240	69
Total of balance due from Trustee of said lands,		$1529	78

The Committee are aware that the foregoing statement is not perfectly correct, and the lands sold to said William Bingham are so connected with lands belonging to the adventurers in the late land lottery, and with towns incorporated, and plantations which are separately taxed, although within the limits, and a part of the said two million acres, that it is not easy, if practicable, to make a correct division of the taxes already assessed.

A large proportion of the deductions made in the foregoing statement, will be received (if they have not already been paid) by towns and plantations, on which they were

assessed; and were not deducted from the sums assessed on the lands sold to said William Bingham. The Committee therefore ask leave to report the following resolve, which is respectfully submitted.

ISRAEL BARTLETT, *Per Order.*

Resolved, That upon the payment of nine hundred and fifty-six dollars and sixty-six cents, into the treasury of this Commonwealth, by the Agent or Trustee of the lands sold to William Bingham upon Kennebec River, now in the county of Somerset, the Treasurer shall give a receipt therefor, in full of all taxes assessed by the government to the state taxes and Representatives' pay for the years eighteen hundred and twelve, thirteen, fourteen, fifteen, sixteen and seventeen, on said lands.

Resolved, That upon the payment of two hundred and ninety-four dollars and seventy cents, into the treasury of this Commonwealth, by the Agent or Trustee of the lands sold to William Bingham in the county of Hancock, the Treasurer shall give a receipt therefor, in full of all taxes assessed by the government to the state taxes and Representatives' pay for said years, on the said lands.

Resolved, That upon the payment of two hundred and seventy-eight dollars and forty-two cents, into the treasury of this Commonwealth, by the Agent or Trustee of the lands sold to William Bingham, in the county of Washington, the Treasurer shall give a receipt therefor in full of taxes assessed by the government to the state taxes and Representatives' pay for said years, on said lands.

Resolved, That if the said Agent, or Trustee, shall neglect to pay into the treasury of this Commonwealth, the several sums aforesaid, amounting to fifteen hundred and twenty-nine dollars and twenty-eight cents, on or before the first day of June next, then the Treasurer of said Commonwealth shall proceed to collect the same in the way and manner prescribed by law.

Resolved, That until a new valuation shall be made, the Agent or Trustee of the lands sold to said William Bingham, on Kennebec River, on paying into the treasury one hundred and seventy-four dollars annually, (should the state tax be the same as has been assessed for four years past) and in that proportion on a greater or less sum, deducting therefrom such proportion thereof as should be assessed on

the towns of North Hill, Bingham and Moscow, and on other towns that may be incorporated, or plantations that may be assessed, lying within the lands sold to said William Bingham, the Treasurer shall give a receipt for the same, in full of all state taxes on said lands.

Resolved, That until a new valuation shall be made, the said Agent or Trustee paying into the treasury, annually, sixty-six dollars and sixty-seven cents, so long as the state tax shall be continued for the same sum as for four years past, deducting therefrom the proportion of said sum which may be assessed on any town that may be incorporated, and any plantation that may be assessed separately, within the lands sold to said William Bingham, in the county of Hancock, the Treasurer shall receipt therefor in full for said lands.

Resolved, That until a new valuation shall be made, the said Agent or Trustee paying into the treasury, annually, forty-eight dollars, so long as the state tax shall be continued the same as for four years past, on the lands sold to said William Bingham, in the county of Washington, deducting therefrom such proportion of said sum as may be assessed on any towns that may be incorporated, or plantation separately assessed within said lands, the Treasurer shall give a receipt in full for all state taxes so assessed.

CHAP. CXXXV.

Resolve altering the time for paying in the instalments of the Capital Stock of the Boston Merchants' Bank.
February 17th, 1818.

Resolved, That the President, Directors and Company of the Boston Merchants' Bank be, and they hereby are authorized and empowered to pay in their first instalment of one fourth part of their capital stock on the fifteenth day of June next, instead of the fifteenth day of April, and their other instalments at three equal intervals of three months each, from the period of their first issuing bank notes, any thing in the act by which said President, Directors and Company were incorporated to the contrary, notwithstanding.

CHAP. CXXXVI.

Resolve for moving prisoners from Castine to Bangor.
February 18th, 1818.

Resolved, That the Sheriff of the county of Penobscot, or either of his Deputies, be, and they are hereby authorized to remove all such persons as are confined in the gaol at Castine, in the county of Hancock, for debt, who belong to, or have their home within the said county of Penobscot, and to commit such persons to the gaol at Bangor, in said county of Penobscot, the expense of such removal and re-commitment to be paid by the persons so removed and re-committed. And the keeper of the gaol at Castine, is hereby authorized and directed to deliver such persons, together with the copies of the precepts, whereon they are committed, to the said Sheriff or Deputy of said county of Penobscot, who shall apply for the same. And all the rights and privileges of the creditors and debtors, interested in such removal and re-commitment, shall be and continue the same as if the said debtors had been originally committed to gaol in Bangor, aforesaid : *Provided however*, that no person, so removed, shall be enlarged from confinement within the gaol at Bangor, aforesaid, until new bonds, as the law requires, be executed for his liberation, within the debtors' limits of the gaol yard of said county of Penobscot.

CHAP. CXXXVII.

Resolve on account of the Quarter-Master General.
February 18th, 1818.

The Committee of both Houses, to whom was referred the Quarter-Master General's communication relating to the expenditures in his department, have attended to the duties of their appointment, and find his account well vouched and right cast, and that he has expended the year past, the sum of nineteen thousand nine hundred and seventy-nine dollars, sixty-six cents, including seventeen hundred dollars for his salary for the year ending January seventeenth, one thousand eight hundred and eighteen, and has received the year past, by warrants on the treasury, including a balance

due the Commonwealth at the settlement of the last annual account, of fourteen hundred and three dollars and eighty-two cents, the sum of seventeen thousand nine hundred and sixty-five dollars and twenty-one cents, leaving a balance of two thousand and fourteen dollars and forty-five cents, due the Quarter-Master General, ask leave to report the following resolves. Which is respectfully submitted:

Resolved, That Amasa Davis, Quarter-Master General, be, and he hereby is discharged from the sum of seventeen thousand nine hundred and sixty-five dollars and twenty-one cents, being the amount he has received the year past, by warrants on the treasury.

Resolved, That the sum of two thousand and fourteen dollars and forty-five cents, be paid the said Amasa Davis from the treasury of the Commonwealth, as the balance of his account for money expended in his department the past year, including one thousand seven hundred dollars for his salary for one year, ending January seventeenth, one thousand eight hundred and eighteen.

Resolved, That the sum of eleven thousand seven hundred and fifty dollars be paid the Quarter-Master General from the treasury of this Commonwealth, to meet the expenses of his department the ensuing year, for the application of which said Quarter-Master General is to be accountable; and his Excellency the Governor is requested to issue his warrants on the treasury for the amount, in such sums and at such periods, as his Excellency, with the advice of Council, may deem expedient for the public service.

CHAP. CXXXVIII.

Resolve authorizing the Commissioners of the Land Office to settle with Seth Spring and others.
February 20th, 1818.

Resolved, That the Commissioners of the Land Office be, and they hereby are authorized to settle with Seth Spring, Andrew M. Spring and John Spring, and to pay them the amount of all such sums of money as they have paid into the treasury of the Commonwealth, as a consideration for a deed of the overplus land in the town of Baldwin, with law-

ful interest thereon, from the time of such payment; *provided* that the said Seth, Andrew M. and John, shall make and execute to the Commonwealth such release, acquittance and discharge, as the said Commissioners shall prescribe.

Resolved, That his Excellency the Governor be, and he hereby is authorized to draw his warrant on the Treasurer of the Commonwealth in favor of the said Commissioners, for such sum of money as they shall require to enable them to carry the foregoing resolve into effect.

CHAP. CXXXIX.

Resolve on petition of the inhabitants of Canaan.
February 21st, 1818.

On the petition of John Wyman, in behalf of the inhabitants of the town of Canaan,

Resolved, For the reasons set forth in the said petition, that the payment of the balance of the state tax, due from the said town of Canaan, for the year eighteen hundred and fifteen, be, and hereby is extended until the first day of June next.

CHAP. CXL.

Resolve on petition of William Stone.
February 21st, 1818.

On the petition of William Stone, of Dana, in the county of Worcester, representing that he was surety for the appearance of John B. Stone at the term of the Supreme Judicial Court holden at Worcester on the second Tuesday of April, A. D. one thousand eight hundred and sixteen, to answer to what might be alleged against him in behalf of the Commonwealth, more particularly to a charge of passing certain counterfeit bank bills; and that the said John B. Stone failed to appear at said Court, but together with the said William Stone was defaulted upon the recognizance for his appearance as aforesaid; that the said John B.

Stone, at a subsequent term of said Court voluntarily surrendered himself into the custody of law, was arraigned, convicted and sentenced to one year's confinement in the State Prison, which sentence he has since undergone; that judgment has been recovered, upon *scire facias*, against the said William Stone, in behalf of the Commonwealth, for the sum of fifty dollars (in which sum he was bound for the appearance of the said John B. Stone) and costs, and that a warrant of distress has been issued against him, upon which he has been committed to the prison in Worcester, and remains in close confinement; and farther representing that he is altogether destitute of property, and unable to satisfy any part of said judgment; and that his family are dependent for support upon the labor of his hands; Therefore,

Resolved, For reasons set forth in said petition, that William Stone, now confined in prison in Worcester, in the county of Worcester, who was committed upon a warrant of distress, issued upon a judgment recovered against him by the Commonwealth, for a default on his recognizance for the appearance of John B. Stone at the term of the Supreme Judicial Court holden at Worcester, aforesaid, in April one thousand eight hundred and sixteen, be, and he is hereby fully released and discharged from the judgment aforesaid, and all costs arising thereon; and that the keeper of the prison aforesaid be, and he is hereby authorized to discharge the said William Stone from his custody; *provided* he is not detained in prison for any other cause than the one before mentioned.

CHAP. CXLI.

Resolve granting compensation to the Committee for revising the Probate laws. February 21st, 1818.

Resolved, That there be allowed and paid out of the treasury of this Commonwealth to the Honorable Thomas Dawes, the sum of forty dollars; to the Honorable Nathan Dane, the sum of seventy-two dollars and fifty cents; and to the Honorable John Pickering, the sum of one hundred and sixty-five dollars, in full for their respective services in revising the Probate laws.

CHAP. CXLII.

Resolve authorizing David Townsend to sell certain real estate. February 21st, 1818.

On the petition of David Townsend, of Waltham, in the county of Middlesex, Esquire, Guardian of Abraham Pierce, of said Waltham, a spendthrift;

Resolved, That for the reasons and purposes stated in said petition, the said David Townsend, as such Guardian, be, and he hereby is fully authorized and empowered to sell at public auction, all and singular the parcels of said spendthrift's real estate, in said petition mentioned and described, and to execute a deed or deeds for the conveyance thereof; and that Mary Pierce, the wife of said spendthrift, be, and she hereby is fully authorized and empowered, by joining with said Guardian, in said deed or deeds, effectually to all intents and purposes, to relinquish, extinguish and release, all her right and title to dower in said real estate, or any part or parcel thereof, and that the proceeds of the sale shall be applied, in the first place, to the payment of said spendthrift's just debts, and to the necessary support and maintenance of him and his family; and the surplus, if any, to be accounted for and disposed of, according to law; the said Guardian, previous to the sale, giving bonds to the Judge of Probate in and for the county of Middlesex, in making said sale, to observe the rules and directions of law, relative to the sale of real estate by Guardians, and to account for and apply the proceeds of said sale to the purposes aforesaid, and taking the oath by law in such case required.

CHAP. CXLIII.

Resolve granting compensation to Commissioners of the Land Office. February 21st, 1818.

Whereas, by an act passed the fifteenth day of February, one thousand eight hundred and sixteen, for promoting the sale and settlement of the public lands in the District of Maine, it was provided, among other things, that three Com-

missioners and a Surveyor General should be appointed by his Excellency the Governor, by advice of Council, to carry the provisions of said act into full and complete effect.

And whereas, the duties and services to be performed, as contemplated in said act, by the said Commissioners and Surveyor General, will require their undivided attention, and the most persevering diligence : Therefore,

Resolved, That there be annually allowed and paid out of the treasury of this Commonwealth, in semi-annual payments, unto the Honorable Edward H. Robbins, and Lothrop Lewis, and Joseph Lee, Esquire, Commissioners as aforesaid, each, the sum of eleven hundred dollars, to commence from the time they entered on the duties of their office, during their continuance in the same ; and that there be allowed and paid unto the said Lothrop Lewis, (who is also appointed Surveyor General) the further sum of four hundred dollars, in semi-annual payments, over and above his pay as Commissioner, said allowance to commence and terminate as aforesaid ; which several sums are to be considered a full compensation for the services of the said Commissioners and Surveyor General respectively.

CHAP. CXLIV.

Resolve on petition of Samael P. P. Fay.
February 23d, 1818.

On the petition of Samuel P. P. Fay, of Cambridge, in the county of Middlesex, Esquire,

Resolved, That the said Fay, as he is Administrator, with the will annexed, of the estate of Artenatus Moore, late of said Cambridge, deceased, be, and he is hereby empowered to convey by deed to Seth Hastings, his heirs or assigns, an undivided sixth part of five acres of land lying in said Cambridge, which descended to said Artenatus from his mother, and which had been conveyed by his late father Josiah Moore, deceased, while in possession thereof, as tenant by the curtesy, to said Hastings in fee, his said mother not having joined in said conveyance ; the said Fay to receive the value of said land from the Administrator of said Josiah, and to account for the same as part of the personal

estate of said Artenatus, according to law; and that such deed, duly acknowledged and recorded, shall be valid and effectual, to all intents and purposes.

CHAP. CXLV.

Resolve authorizing a Tax for the county of Suffolk.
February 23d, 1818.

Whereas the Treasurer of the county of Suffolk has laid his account before the Legislature, which account has been examined and allowed; and whereas the Clerk of the Court of Sessions for said county, has exhibited an estimate made by said Court, of the necessary charges which may arise within the said county, for the year ensuing, and the sums necessary to discharge the debts of said county;

Resolved, That the sum of twenty-two thousand dollars be, and the same is hereby granted as a tax for said county of Suffolk; to be apportioned, assessed, paid, collected and applied for the purposes aforesaid, according to law.

CHAP. CXLVI.

Resolve on the petition of Ebenezer Weston and others.
February 23d, 1818.

Resolved, That the Quarter-Master General be, and he hereby is authorized and directed to furnish Ebenezer Weston, Alexander Savage, William Rice, Joshua Treat, William Holyoke, John Treat, Timothy Crosby, junior, and David Brewer, from the arsenal of the Commonwealth, with muskets and accoutrements, in lieu of those lost by them at Bangor, in September, one thousand eight hundred and fourteen, conformably to the report of the said Quarter-Master General, this day read and accepted.

CHAP. CXLVII.

Resolve that the Quarter-Master General notify the town of Frankfort to return Muskets.
February 23d, 1818.

Resolved, That the Quarter-Master General be, and he hereby is directed to notify the town of Frankfort to return to the arsenal of this Commonwealth, four muskets and bayonets, and all the accoutrements which they may now have in possession, the property of this Commonwealth; and that upon said return, the said town be, and hereby is declared exonerated from any further demand for, or on account of muskets and accoutrements heretofore loaned to said town by the Commonwealth.

CHAP. CXLVIII.

Resolve authorizing Stephen Codman, as Executor of John Codman, to execute a deed. February 23d, 1818.

On the petition of Ephraim Weston, of Fryeburg, in the county of Oxford, setting forth that John Codman, Esquire, late of Boston, now deceased, on the twenty-second day of May, in the year of our Lord eighteen hundred, by his writing obligatory, under his hand and seal of that date, for the consideration of the sum of seventy-five dollars thirty-three cents, paid by the said Weston's son, Edward Weston, of said Fryeburg, covenanted and agreed with the said Ephraim Weston to execute to him or his assigns a deed of one hundred acres more or less of woodland, then owned by the said John Codman, and situated in Brownfield, now in said Fryeburg, as described in said petition, and praying that Stephen Codman, of Boston, in the county of Suffolk, Esquire, Executor of the last will and testament of the said John Codman, may be authorized to make and execute a good and valid deed to the said Ephraim Weston, or to the said Edward Weston, of sixty-eight acres and fifty-three square rods of said land;

Resolved, For reasons set forth in said petition, that the said Stephen Codman, as he is Executor of the last will

and testament of the said John Codman, deceased, be, and he is hereby authorized and empowered to make, execute and deliver to the said Edward Weston, of said Fryeburg, a good and sufficient deed of sixty-eight acres and fifty-three square rods of land, situate formerly in Brownfield, now in said Fryeburg, formerly owned and sold by Henry Young Brown, Esquire, to the said John Codman, and being part of the estate of the said John Codman, now deceased, and bounded as follows, to wit: beginning at Leverwood-tree, being the north-westerly corner of said land; from thence running south fifteen degrees east, one hundred and thirty-four rods, to a stake and stones; from thence north seventy-five degrees east, ninety rods, to a white oak tree, marked for a corner; from thence north twenty-two degrees west, one hundred and thirty-eight rods to a stake and stones; from thence south seventy-five degrees west, to the first named corner; and the deed of sixty-eight acres, and fifty-three square rods of land, so made and executed by the said Stephen Codman, as Executor of the said John Codman, either to the said Ephraim Weston, or to said Edward Weston, shall be good and valid in law, to convey all the rights and interest of the heirs at law, or devisees of the said John Codman to the grantee, who shall receive a deed of the same from the said Stephen Codman, under the authority and power hereby granted.

CHAP. CXLIX.

Resolve authorizing the Adjutant General to certify copies of the Records of Courts Martial. February 24th, 1818.

Resolved, That the Adjutant General be, and he hereby is authorized to certify the copies of all records of Courts Martial deposited in his office, by a resolve of the Legislature, passed December fourteenth, one thousand eight hundred and sixteen, in the same manner and form, and to the same effect to all intents and purposes as the Secretary of State is athorized, in and by an act, entitled "An act for regulating, governing and training the militia of this Commonwealth."

CHAP. CL.

Resolve on the petition of William Thompson, granting him three hundred dollars. February 24th, 1818.

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the treasury of this Commonwealth, to William Thompson, three hundred dollars, as full compensation for his services in adjusting the books and papers of the State Prison, and the Governor be hereby authorized to draw his warrant for the same; *provided* the same shall be received by him in full satisfaction of all services rendered.

CHAP. CLI.

Resolve to pay Clerks, &c. February 24th, 1818.

Resolved, That there be paid out of the treasury of this Commonwealth, to Samuel F. McCleary, Clerk of the Senate, and to Benjamin Pollard, Clerk of the House of Representatives, the sum of four hundred dollars each; and to John B. McCleary, assistant Clerk of the Senate, and to Henry Codman, assistant Clerk of the House of Representatives, the sum of three hundred dollars each; and to Thomas Walcut, a Clerk in the lobbies, for the assistance of the members of the Legislature, the sum of one hundred and twenty-five dollars, in full for their respective services in their capacity aforesaid, the present session of the General Court.

Also to the Reverend Francis Parkman, Chaplain of the Senate, and to the Reverend Daniel Sharp, Chaplain of the House of Representatives, the sum of sixty dollars each, in full for their services in said offices the present year.

Also to Ward Lock, assistant to the Messenger of the Governor and Council, two dollars and fifty cents, for each day he may have been employed the present session of the Council.

Also to the Committee on Accounts, for the present session, one dollar per day each, over and above their pay as members, viz. to the

Hon. Oliver Crosby, forty-one days, forty-one dollars.
Samuel Porter, forty-one days, forty-one dollars.
Thomas Hale, forty-one days, forty-one dollars.
Alfred Richardson, forty-one days, forty-one dollars.
Hugo Burghardt, thirty-three days, thirty-three dollars.

Also that there be paid as aforesaid, to Joseph Foster, a Clerk in the treasurer's office, the sum of one hundred dollars and ninety-six cents, in full for extra services, to the thirty-first day of May next, in addition to his established salary.

CHAP. CLII.

Resolve granting five hundred dollars to Orangetown Plantation, or Number Twelve, in the county of Washington.
February 24th, 1814.

Whereas a resolve passed the third instant, granting five hundred dollars, to be applied to the making a road through Plantation Number Twelve, or Orangetown, in the county of Washington, to be laid out and expended under the direction of the Commissioners of the Land Office, which sum is made payable to the inhabitants of said plantation, and may operate inconveniently;

Be it therefore Resolved, That so much of said resolve as provides for paying said sum to said inhabitants, be, and hereby is repealed; and the said sum of five hundred dollars is hereby made payable to said Commissioners, who are required to apply the same to the purposes aforesaid, and render an account of the expenditure thereof to the General Court, within one year from the passing of this resolve.

CHAP. CLIII.

Resolve for paying the Commissioners of the Land Office.
February 24th, 1818.

Resolved, That his Excellency the Governor, with the advice of Council, be, and is hereby authorized to make his warrant on the public treasury for the pay of the Commissioners of the Land Office, from the tenth day of June last.

CHAP. CLIV.

Resolve to pay James McLellan and Hugo Burghardt, Members of the House. February 24th, 1818.

Resolved, that there be paid out of the treasury of this Commonwealth to James McLellan, of Bath, a member of this house, eighty-two dollars, in full for his attendance at this session of the General Court, and thirty-three dollars in full for his travel; and to Hugo Burghardt, of Richmond, a member of this house, seventy-two dollars, in full for his attendance at this session of the General Court, and thirty-one dollars for his travel; and that the towns of Bath and Richmond, respectively, be charged in the next tax bill, with the said sums for attendance, as though the said McLellan and Burghardt had been made up in the pay roll of this house.

CHAP. CLV.

Resolve respecting Kennebec Bridge Lottery. February 24th, 1818.

Whereas by an act passed February the fifteenth, eighteen hundred and sixteen, it is among other things provided, that the sum of twelve thousand dollars shall be raised by lottery, for the purpose of re-building the bridge over Kennebec River, at Augusta, and authority is therein given to the proprietors of said bridge, to appoint Managers of said lottery, from time to time, to make and publish such scheme or schemes, as in their opinion may best promote the purposes of said lottery, to draw the same, and to transact all other business pertaining thereto: And whereas, on the twelfth day of January, eighteen hundred and eighteen, the scheme of a lottery was published, (which lottery was styled the State Lottery,) signed by Benjamin Dearborn, Joseph Otis, and Benjamin Whitwell, as Managers, purporting to be for the purpose of raising a fund, as authorized by said act, for re-building said Kennebec bridge; and by said scheme it is apparent, that when the sale of all the tickets in said class, and after the drawing thereof, and all the

prizes are paid, there will remain in the hands of the said Managers, the sum of fifty-one thousand dollars, twelve thousand only of which are applicable to the object of the lottery, and thus a large sum of money may be left at the disposition of said Managers, without any provision by law for the appropriation of the same to public or other uses, which said scheme is therefore manifestly against the intent of the act granting said lottery ; and if said Managers are suffered to proceed therewith, the same may operate to countenance the abuse of like grants which may hereafter be made : Wherefore,

Resolved, That the Attorney and Solicitor General, or either of them, be required to file, at the next term of the Supreme Judicial Court, to be holden in the county of Suffolk, an information in the nature of a *quo warranto*, against the said Benjamin Dearborn, Joseph Otis, and Benjamin Whitwell, requiring them to show by what authority they exercise the office of Managers of said lottery, and to take all other legal measures to suppress the same, and to stop all further proceedings in relation thereto.

Resolved, That the Attorney and Solicitor General, or either of them be required to prosecute, under the several acts of this Commonwealth, prohibiting the sale of lottery tickets not authorized by law, any person or persons whomsoever, who shall, after the publication of this resolve, and before the decision of the Supreme Judicial Court be had on the subject of the foregoing resolve, purchase, sell, give, lend, or otherwise dispose of any tickets, or any part or parts of any tickets, made and signed by the said Benjamin Dearborn, Joseph Otis, and Benjamin Whitwell, or either of them, under the scheme aforesaid.

ROLL, No. 78.....January, 1818.

THE Committee on Accounts, having examined the several accounts they now present,

REPORT, that there is now due to the Corporations and persons hereafter mentioned, the sums set to their names respectively; which, when allowed and paid, will be in full discharge of the said accounts, to the several dates therein mentioned; which is respectfully submitted.

OLIVER CROSBY, *Per Order.*

PAUPER ACCOUNTS.

Town of Arundel, for board and clothing Henry Rolf, to 26th November, 1817,	$ 44 00
Amherst, for support and doctoring Robert Richardson, wife and daughter, to 1st January, 1818,	300 17
Acton, for supplies and doctoring James Sherland, to 18th January, 1818,	96 89
Abington, for board and clothing Thomas Seymore, to 29th January, 1818,	100 00
Augusta, for sundry paupers to 3d January, 1818,	81 37
Amesbury, for support and doctoring John Crank, to 6th December, 1817,	152 64
Alfred, for support of John Meservy and Cornelius Evans, to 20th January, 1818,	21 42
Andover, for board, clothing and doctoring sundry paupers to 1st January, 1818,	447 86

Adams, for board and clothing sundry paupers to 15th January, 1818,	197 64
Anson, for support of William James' family to 15th January, 1818,	46 12
Brookline, for board, clothing and doctoring Peter Henry, to 14th January, 1818,	95 00
Boxford, for board and clothing Mehitable Hall, to 3d June, 1817,	86 40
Becket, for supplies to Peter Treadwell, to 12th January, 1818,	12 25
Blandford, for board and clothing sundry paupers to 8th January, 1818,	136 92
Bridgewater, for board, clothing and doctoring sundry paupers, to 22d January, 1818,	172 01
Bath, for board, clothing, nursing and doctoring sundry paupers, to 2d January, 1818,	201 66
Braintree, for board and clothing Elizabeth Blackburne, to 5th January, 1818,	22 55
Burlington, for board and clothing Dorothy Lynham, to 3d February, 1818,	70 00
Belchertown, for board and clothing sundry paupers, to 16th January, 1818,	141 86
Bristol, for support and doctoring Nancy Hill and William How, to 11th December, 1817,	136 34
Bradford, for board and clothing Joshua L. Alsars, to 1st January, 1818,	70 14
Beverly, for board and clothing sundry paupers, to 1st January, 1818,	243 54
Brewer, for supplies to Jonathan Roberts and family, to 14th January, 1818,	13 53
Bradford, Samuel, keeper of gaol in the county of Suffolk, for support of sundry poor prisoners confined for debt, to 1st December, 1817,	639 32
Board of Health, Boston, for support and doctoring sundry paupers with the small pox at Rainsford's Island, to 27th January, 1818,	423 66
Boston, for board and clothing sundry paupers, to 30th November, 1817,	7921 71
Canton, for support of John Cole, to 14th January, 1818,	48 00
Chelmsford, for board and clothing Catharine McClenney, and Charles and Eliza Goodrich, to 1st January, 1818,	121 32

Colrain, for board, clothing and nursing Richard and Rachel Hines, to 10th January, 1818, and Sally Lamonear, till her death, 22d December, 1817, and funeral charges,	160 96
Cheshire, for board, clothing and doctoring sundry paupers, to 16th January, 1818,	307 72
Chester, for board and clothing Cæsar Hardy and George Buttolf, to 29th December, 1817,	147 56
Chesterfield, for board and clothing sundry paupers, to 11th January, 1818,	139 79
Cape Elizabeth, for board and clothing sundry paupers, to 2d January, 1818,	124 30
Cambridge, for board and clothing sundry paupers, to 22d January, 1818,	294 81
Cushing, for board and clothing Mary Henderson and Peggy Rowley, to 13th January, 1818,	79 40
Charlestown, for board and clothing sundry paupers, to 28th January, 1818,	422 40
Carlisle, for board, clothing and nursing Robert Barber, to 5th January, 1818,	118 84
Deerfield, for support of Lucretia Brown and children, and expense of removing them out of the Commonwealth, May 4th, 1818,	42 24
Dresden, for board, clothing and doctoring John Cullen, to 1st January, 1818,	67 20
Duxbury, for board and clothing Elizabeth Ellis, to 10th September, 1817,	21 70
Dedham, for board, clothing, doctoring and nursing sundry paupers, to 5th December, 1817,	74 64
Danvers, for board and clothing sundry paupers, to 20th January, 1818,	1484 65
Dracut, for support of Richard Baker, to 7th February, 1818,	87 30
Egremont, for board, clothing and funeral charges of sundry paupers, to 14th January, 1818,	254 10
Eliot, for board and clothing Jacob Brewer and Abigail Randall, to 27th January, 1818,	86 32
Enfield, for board, clothing and nursing Deborah Butterworth and William Rice, to 17th January, 1818,	124 10
Fayette, for board and clothing William Godfrey Martin, to 1st January, 1818,	41 20

Falmouth, Cumberland County, for board, clothing, doctoring and supplies to sundry paupers, to 1st January, 1818,	239 52
Frankfort, for board and clothing Hatevil Colson, to 1st January, 1818,	36 00
Framingham, for support and doctoring Lucy Green, to 16th January, 1818,	33 17
Falmouth, Barnstable County, for support and doctoring Edward Edwards, to 19th January, 1818,	46 92
Fairhaven, for supplies to Sarah Carr and children, to 30th January, 1818,	17 09
Friendship, for board and clothing James Metcalf and Martha Bickmore, to 20th January, 1818,	71 97
Gardiner, for board, clothing and doctoring sundry paupers, to 10th January, 1818,	129 85
Granville, for board, clothing, doctoring and nursing George Taylor and Simon Hoffman, to 29th December, 1817,	78 50
Great Barrington, for board, clothing and nursing sundry paupers, to 28th January, 1818,	184 62
Gill, for board, clothing and doctoring sundry paupers, to 17th January, 1818,	223 07
Gloucester, for board and clothing sundry paupers, to 10th November, 1817,	532 78
Grafton, board, clothing and nursing Isaac Newman and Benjamin White, to 25th December, 1817,	166 45
Groton, for support and doctoring sundry paupers, to 10th January, 1818,	334 70
Gorham, for support of Robert Gillfilling, to 8th February, 1818,	55 50
Hebron, for support and doctoring William Oriley, till he left the town, March, 1817,	10 00
Hodgkins, Joseph, keeper of the house of correction in the county of Essex, for board and clothing sundry insane persons, to the 10th November, 1817,	178 81
Hawley, for board and clothing Joseph Barnard, to 14th January, 1818,	43 57

Hancock, for board and clothing Rebecca Osborn and Hannah Winn, to 24th January, 1818, and Thomas Holton, till his death, and funeral charges,	137 57
Harlem, for board and clothing William Youling, to 10th November, 1817,	162 84
Haverhill, for board, clothing and doctoring sundry paupers, to 1st January, 1818,	152 38
Hallowell, for board, clothing, nursing and doctoring sundry paupers, to 31st December, 1817,	314 10
Hubbardston, for board and clothing Abner Hybra, to 14th January, 1818,	71 98
Hadley, for supplies to Fryday Allen and Rebecca Allen, to 11th January, 1818,	80 28
Jay, for board and clothing Elizabeth Bell, to 5th January, 1818,	33 00
Kingston, for board and clothing James Barney, to 2d April, 1817,	11 10
Kittery, for board and clothing Sarah Perkins, Deborah Perkins and child, to 6th January, 1818,	85 25
Limington, for board and clothing John O. Ryan, to 1st January, 1818,	57 20
Lee, for support, doctoring and nursing sundry paupers, to 11th January, 1818,	280 73
Lincolnville, for board, clothing, and doctoring sundry paupers, to the 14th January, 1818,	121 78
Lanesborough, for board, clothing and supplies, to sundry paupers, to 1st January, 1818,	308 64
Lynn, for board and clothing sundry paupers, to 30th November, 1817,	314 86
Leyden, for board, clothing and nursing sundry paupers, to 1st January, 1818,	149 90
Lenox, for board and clothing sundry paupers, to 9th January, 1818,	183 30
Long Meadow, for board, clothing, doctoring and nursing sundry paupers to 13th January, 1818, and funeral charges of Peter Dunkin,	156 36
Monson, for support of James Worthington, to 1st January, 1818,	37 30
Minot, for support of Philip Weeks and Elizabeth Phinney, to 3d November, 1817,	120 00

Malden, for board and clothing John Holland, to 19th January, 1818, 76 25

Montgomery, for board and clothing Moses Cansier, to 18th January, 1818, 40 20

Monmouth, for the support of John Sherburne and Peggy Magner, to the 9th January, 1818, and funeral charges of John Sherburne, 83 76

Montville, for board and clothing William McClary and wife, and John Gloscester, to 12th January, 1818, 278 60

Mendon, for board and clothing Alfred Coffee, to 20th April, 1816, and Bartholomew Harrington, till he left the state, 20th August, 1816, 47 30

Machias, for support and doctoring sundry paupers, to 31st December, 1817, and funeral charges of David McNiel, 251 70

Mansfield, for board and doctoring Hugh McPherson, to 1st January, 1818, 94 54

Milford, for board and clothing Betsey Gould, to 16th October, 1817, 50 59

Mount Vernon, for support of sundry paupers, to 31st December, 1817, 113 84

Manning, Thomas, for doctoring James Mingo, in house of correction, in the county of Essex, to 31st December, 1817, 47 26

Milton, for support, nursing and doctoring Joel Week, and Nancy Cazey, to 5th February, 1818, Betsey Brown, and Lewis Elisha, till their death, and funeral charges, 98 87

Marlborough, for board, clothing and doctoring Joseph Waters, to 28th November, 1817, 66 50

Medfield, for board and clothing George Turner, to 25th November, 1817, 66 11

Marblehead, for board and clothing sundry paupers, to 21st January, 1818, 305 07

Middleborough, for board, clothing and doctoring sundry paupers, to 1st January, 1818, 157 63

North Yarmouth, for boarding, clothing and doctoring George Young, to 13th January, 1818, 54 15

Northfield, for board and clothing Amos Riley, to 9th January, 1818, 41 30

Natick, for support of John Candler, till he left the town, and Patty Pegion, to 3d February, 1818, 142 87

Norridgewock, for board of Jesse Rowe, to 28th May, 1817,	6 00
North Brookfield, for support of Daniel and Joseph Peterson, to 24th January, 1818,	66 72
Newbury, for board and clothing sundry paupers, to 1st January, 1818,	888 33
Northampton, for board, clothing, nursing, doctoring and funeral charges of sundry paupers, to 1st January, 1818,	351 66
New Gloucester, for support of Robert Forbes and wife, and Joseph Gregory, to 1st February, 1818,	218 39
Newburyport, for board and clothing sundry paupers to 1st January, 1818,	754 47
New Castle, for board and clothing Lois Hodgman and children, to 2d January, 1818, and doctoring Florentine Langton,	124 30
Newry, for board, clothing and doctoring William Burk, to 28th September, 1817,	27 19
Overseers of Marshpee Indians, for support and doctoring sundry paupers, to 12th January, 1818,	450 00
Palmer, for board, clothing and doctoring William and Phebe Mendem, to 1st January, 1818,	142 39
Pittston, for support of Amelia McMansfield, to 30th December, 1817, and Juda Delano, till her death, and funeral charges, to 14th July, 1817,	83 47
Prospect, for board and clothing Lydia Hayes and Benjamin Y. Shute, to 1st January, 1818,	193 90
Phipsburg, for board of Jacob Wheeler, to 10th January, 1818,	32 00
Peru, for board, clothing and doctoring James Robbins, to 29th December, 1817,	48 70
Princeton, for supplies to Henry Smith, wife and children, to 24th January, 1818,	23 77
Pittsfield, for board, clothing and doctoring sundry paupers to 1st February, 1818,	317 48
Pepperell, for board, clothing, doctoring and nursing Robert B. Minchen, and Charles O'Conner, to 1st January, 1818,	78 60
Portland, for board and clothing sundry paupers, to 1st January, 1818,	1699 03
Plymouth, for board, clothing and doctoring sundry paupers, to 12th January, 1818,	413 30

Rehoboth, for board, clothing, nursing and doctoring sundry paupers, to 1st January, 1818, 247 99
Rowley, for board, clothing, nursing and doctoring Ella Collins, and Benning Dow, to 1st January, 1818, 74 20
Rutland, for board and clothing William Henderson, to 7th January, 1818, 41 30
Russell, for board and clothing John and Polly Newton, to 1st January, 1818, 52 50
Roxbury, for board and clothing sundry paupers, to 3d January, 1818, 322 34
Richmond, for board, clothing and doctoring sundry paupers, to 16th February, 1818, 181 29
Sandisfield, for support of Richard Dickson and family, to 13th January, 1818, 57 80
Shrewsbury, for board and clothing George Philmore, to 13th January, 1818, 42 30
Somerset, for board and clothing William Elliot, to 1st January, 1818, 57 96
Sedgwick, for support and doctoring John Low, till his death, and funeral charges, November 22d, 1817, and his wife and children, to 22d December, 1817, 172 19
Scituate, for support of John Woodward, to 30th April, 1817, 11 70
Sutton, for support of Isabella Santee's three children, and Phillis Frazier, to 5th January, 1818, 89 18
Stockbridge, for board, clothing, doctoring and nursing sundry paupers, to 1st December, 1817, 485 76
Sheffield, for board and clothing Hannah Rowe, to 12th January, 1818, funeral charges of Abraham Johnson, and expense of removing Hannah Welden, out of the state, 79 50
South Berwick, for board, clothing and doctoring Lemuel Woodworth, to 1st January, 1818, Mary Stackpole and Molly Boice, till they left the state, 104 85
Shirley, for support and doctoring sundry paupers, to 1st January, 1818, 228 23
Sterling, for board, clothing, nursing and doctoring John White, to 19th January, 1818, 32 42
Shelburne, for board, clothing doctoring and nursing sundry paupers, to 17th January, 1818, 182 35

Swansey, for support of Garrett Burns, and James Garnet, to 24th January, 1818,	95 30
Sudbury, for board, clothing and nursing John Weighton, to 11th February, 1818,	103 50
Seekonk, for board and clothing Thomas Pearce, to 7th January, 1818,	56 40
Sandwich, for support of Mason and Esther Raymond, to 1st January, 1818,	45 13
Saco, for support of Daniel Sargent, and doctoring Lewis Victor, to 27th December, 1815,	45 00
Sherburn, for support of Benjamin Houghton, to 29th January, 1818,	61 00
Scarborough, for support and nursing Robert Dickerson till his death, and funeral charges, 30th December, 1816,	29 00
Salem, for board and clothing sundry paupers, to to 2d January, 1818,	2503 09
Troy, for support of Betsey Bell, and John Richards, to 19th January, 1818,	154 28
Taunton, for board, clothing and doctoring sundry paupers, to 1st January, 1818,	754 07
Thomastown, for board and clothing John Anderson, to 20th January, 1818,	78 77
Uxbridge, for support and doctoring sundry paupers, to 19th January, 1818,	136 61
Upton, for board, clothing, nursing and doctoring Jane Creighton, to 26th January, 1818, Elizabeth and George Taylor, till their death, and funeral charges,	44 58
Vassalborough, for board and clothing Abigail Fairbrother, to 1st January, 1818,	63 10
Williamstown, for support of sundry paupers to 10th January, 1818,	106 51
Wellington, for board, clothing and doctoring Catharine Butler, to 15th January, 1818,	84 65
Ward, for board and clothing Francis Savage, to 1st January, 1818,	49 30
Winthrop, for board and clothing William Gasket, to 14th January, 1818,	38 50
Westford, for board, clothing and nursing James Peirce, to 22d January, 1818, and Christopher Shephert, till his death, and funeral charges,	75 05
Wayne, for support of Joseph Richards and wife, to 20th January, 1818,	174 00

Ware, for board, clothing and nursing Charles Collins, to 29th January, 1818,	8 87
West Stockbridge, for board and clothing sundry paupers, to 9th January, 1818,	209 11
Westfield, for board and clothing sundry paupers, to 1st January, 1818,	172 32
Wareham, for support of William Long, to 14th January, 1818,	42 67
Wilton, for support and doctoring Enoch Foot, wife and children, to 26th May, 1816,	98 68
Wilbraham, for board, nursing and doctoring Nels Johnson Headman, till his death, and funeral charges, 16th July, 1817,	31 50
Worcester, for board and clothing sundry paupers, to 1st January, 1818,	328 29
West Springfield, for board and clothing sundry paupers, to 5th January, 1818,	152 53
Watertown, for support, doctoring and nursing sundry paupers, to 25th January, 1818,	218 54
West Hampton, for board and clothing sundry paupers, to 1st January, 1818,	398 60
Wrentham, for board, clothing and doctoring sundry paupers, to 1st January, 1818,	167 80
Walpole, for board, clothing and doctoring sundry paupers, to 19th January, 1818,	156 80
Warren, for support of sundry paupers, to 21st January, 1818,	221 00
York, for board, clothing, nursing and doctoring sundry paupers, to 24th January, 1818,	508 71
Total Paupers,	$ 39,098 50

MILITARY ACCOUNTS.

Courts Martial, Courts of Inquiry, &c.

Samuel Allen, for the expense of a Court Martial, held at Worcester, on the 25th of April, A. D. 1817, whereof Thomas Chamberlain was President,	$90 71
Robert F. Barnard, for the expense of a Court of Inquiry, held at Egremont, on the 9th of December, 1817, whereof David Leavenworth was President,	38 31

Robert F. Barnard, for the expense of a Court Martial, held at Sheffield, on the 22d April, 1817, whereof James Adams, junior, was President,	88 47
William Hight, for the expense of a Court Martial, held at South Berwick, on the 23d December, 1817, whereof Simeon Newhall, was President,	193 38
Samuel Page, for the expense of a Court Martial, held at Nobleborough, on the 20th of October, 1817, whereof Andrew Reed was President,	213 27
Ebenezer Mattoon, Esquire, for the expense of a Court of Inquiry, held at Hanover, on the 17th of December, 1817, whereof Simeon Coburn was President,	124 00
James Starr, for the expense of a Court Martial, held at Livermore, on the 24th June, 1817, whereof Henry Farewell was President,	145 02
John Smith, junior, for the expense of a Court Martial, held at Salem, on the 23d of September, 1817, whereof George Gardner was President	196 44
Joseph Treat, for the expense of a Court Martial, held at Bangor, on the 15th September, 1817, whereof Isaac Hodsdon was President,	320 28
Joseph Treat, for the expense of a Court Martial, held at Bangor on the 24th September, 1817, whereof David J. Bent was President,	159 20
Total,	$1569 09

Brigade Majors and Aids de Camp.

Allen, Samuel, to January 1st, 1818,	$ 28 90
Allen, James S. to January 1st, 1818,	108 55
Bliss, George, junior, to November 29th, 1817,	107 72
Barnard, Robert F. to January 1st, 1818,	50 02
Bancroft, Ebenezer, to September 29th, 1817,	46 82
Clark, Joseph, to January 6th, 1818,	23 16
Dutch, Ebenezer, to December 24th, 1817,	73 62
Fairbanks, Stephen, to January 20th, 1818,	21 25
Fogg, Simeon, to January 1st, 1818,	55 00
Gilbert, Thomas, to January 10th, 1818,	73 05

Goodrich, Elijah P. to October 7th, 1817,	43 16
Hyde, Zina, to January 1st, 1818,	68 02
Hubbell, Calvin, to January 6th, 1818,	56 75
Hitchcock, Edward, to January 1st, 1818,	18 50
Hopkins, Thomas, to January 1st, 1818,	10 23
Jacques, Samuel, to January 23d, 1818,	102 10
Lewis, Philo, to November 19th, 1817,	98 85
Lincoln, Enoch, to January 30th, 1818,	58 34
Mitchel, Daniel, to December 26th, 1817,	43 80
Page, Samuel, to December 24th, 1817,	125 05
Robinson, Jesse, to August 9th, 1817,	46 70
Robinson, Thomas D. to January 8th, 1818,	16 00
Sampson, Joseph, to December 25th, 1817,	31 65
Starr, James, junior, to January 1st, 1818,	55 41
Scott, John, to January 1st, 1818,	143 54
Smith, John W. to January 1st, 1818,	30 75
Sawtell, Richard, to December 1st, 1817,	11 48
Smith, John, junior, to January 1st, 1818,	93 25
Smith, Henry, to January 17th, 1818,	33 15
Tobey, Elisha, to December 30th, 1817,	55 25
Treat, Joseph, to December 20th, 1817,	225 49
Thayer, Samuel M. to January 28th, 1818,	163 35
Thayer, Minot, to January 24th, 1818,	183 67
Varnum, Benjamin F. to November 28th, 1817,	11 95
Wright, William, to November 28th, 1817,	71 52
Wilder, Nathaniel, junior, to December 25th, 1817,	51 12
Whiting, Timothy P. to January 20th, 1818,	120 00
Wood, John F. to January 28th, 1818,	60 93
Ware, William R. to January 19th, 1818,	32 17
Wingate, Joseph F. to January 10th, 1818,	16 62
Total,	$ 2,666 89

Brigade Quarter-Masters' Accounts.

Brastow, Samuel, for 1817,	58 75
Blanchard, John B. for 1817,	27 25
Coburn, Samuel A. for 1817,	23 00
Copeland, Jonathan, for 1816 and 1817,	51 50
Campbell, James A. for 1817,	32 50
Day, Robert, for 1817,	34 25
Foster, Freeman, for 1817,	17 10
Hobart, Thomas, for 1817,	37 30

King, Amos, for 1817,	18	00
Kendal, Henry, for 1817,	29	35
Longley, Edmund, junior, for 1817,	36	30
Norton, Winthrop B. for 1817,	17	50
Pollard, Oliver, for 1817,	31	10
Phinney, Elias, for 1817,	29	50
Roberts, Charles L. for 1817,	13	20
Russ, John, for 1817,	31	80
Stimpson, Joseph, for 1817,	17	00
Thomas, Nathaniel, for 1817,	8	30
Wood, David, for 1817,	17	85
Total,	$ 521	55

Adjutant's Accounts.

Adams, Gibbens, to January 28th, 1818,	50	45
Avery, Joshua, to January 20th, 1818,	31	67
Agry, Thomas, to January 1st, 1818,	169	34
Arms, George, to January 1st, 1818,	7	84
Butterfield, Joseph, to January 1st, 1818,	65	55
Brown, Thomas, to January 30th, 1818,	15	05
Breed, Andrew, to December 5th, 1817,	24	81
Bryant, Nahum, to September, 1817,	13	39
Bancroft, W. A. to January, 1818,	66	19
Blake, Edmund, to January 1st, 1818,	20	86
Brett, Ezra, to January 1st, 1818,	8	31
Bacchus, Zenas, to November 19th, 1817,	34	83
Bray, Josiah, to January 12th, 1818,	78	66
Coolidge, Nathaniel, junior, to January 1st, 1818,	49	60
Clapp, William W. to January 28th, 1818,	50	12
Campbell, Daniel, to December 13th, 1817,	22	90
Crane, Thomas, to December 10th, 1817,	26	65
Crowell, Michael, to October 16th, 1817,	23	04
Collins, Michael, to November 24th, 1817,	24	16
Cooley, Stephen, to January 1st, 1818,	20	87
Clark, Samuel, to January 1st, 1818,	122	62
Champney, John, to January 12th, 1818,	155	49
Clark, John, to January 10th, 1818,	37	75
Choate, William, to January 1st, 1818,	15	19
Cary, Leonard, to January 1st, 1818,	9	94
Colman, Daniel, to January 1st, 1818,	27	90
Cushing, Ned, to December 27th, 1817,	67	73

Clap, James, to September 12th, 1817,	30 01
Carr, Joshua, W. to January 1st, 1818,	23 10
Clark, Gilbert, to February 7th, 1818,	64 08
Draper, William, to October, 1817,	29 60
Doan, Eliab B. to January 1st, 1818,	33 30
Doan, John G. to January 1st, 1818,	37 04
Deming, John C. to January 1st, 1818,	40 31
Eells, Samuel, to January 24th, 1818,	76 55
Emery, Daniel, to October 24th, 1817,	106 37
Freeman, William, to December 25th, 1877,	14 60
Foster, Benjamin, to January 30th, 1818,	66 95
Fairbanks, Stephen, to January 30th, 1818,	94 12
Heald, Josiah, to September, 1817,	28 12
Hazletine, Arad, to January, 1818,	40 00
Hunton, Jonathan G. to November 10th, 1817,	23 65
Haskell, Joseph, to October 10th, 1817,	36 60
Hayes, John, junior, to January 22d, 1818,	24 69
Hovey, Alfred, to January 1st, 1818,	23 43
Hoyt, John, C. to January 26th, 1818,	27 65
Howard, Samuel S. to October 6th, 1817,	22 42
Hasty, Daniel, junior, to January 1st, 1818,	38 18
Hale, Enoch, to January 1st, 1818,	64 52
Hudson, J. R. to January 10th, 1818,	20 58
Hamilton, Abiel, to January, 1818,	30 67
Hapgood, Thomas, to November 11th, 1817,	43 23
Jones, William, to September 9th, 1817,	18 40
Jaques, Henry, to September 17th, 1817,	46 98
Knight, Jonathan, to January 2d, 1818,	15 30
Knight, Peter M. to January 1st, 1818,	14 16
Keith, Joseph, to January, 1818,	71 95
Libby, Nathaniel, to January 1818,	42 89
Lunt, Peter, to January, 1818,	36 22
Leavett, Jesse, to December 15th, 1817,	35 50
Lincoln, Asa, to November 1st, 1817,	28 22
Larabee, William, to January 29th, 1818,	35 25
Munroe, Benjamin, to January 1st, 1818,	36 95
Mitchel, Isaac, to December 31st, 1817,	31 60
Nye, Joseph, to January 1st, 1818,	35 02
Noble, Daniel, to January 1st, 1818,	7 57
Ormsby, Abraham, to November 27th, 1817,	31 37
Pond, Asa M. to December 24th, 1817,	36 41
Pynchon, George, to January 1st, 1818,	12 47
Poor, Nathan, to January 1st, 1818,	27 44

Rockwell, Uzal, to September 22d, 1817,	29 23
Rogers, Daniel, to January 1st, 1818,	28 98
Root, Albert R. to January 8th, 1817,	30 91
Richardson, Wyman, to January 3d, 1818,	22 21
Richardson, George F. to January 20th, 1815,	20 75
Stanwood, David, to January 6th, 1818,	56 77
Swasey, John N. to June 27th, 1817,	54 21
Sever, James, to December 3d, 1817,	80 25
Sayles, Richard, to October 13th, 1817,	28 70
Sayles, William, to October 13th, 1817,	28 72
Sedgwick, Charles, to January 20th, 1817,	17 70
Smith, Henry, to January 20th, 1818,	14 37
Spring, Luther, to January 20th, 1818,	17 72
Stone, Hosea, to January 1st, 1818,	23 92
Sexton, George, to January 1st, 1818,	28 72
Simpson, George, to December 26th, 1817,	97 22
Shepard, James, 2d, to January 19th, 1818,	63 47
Treadwell, Francis, to October 20th, 1817,	65 11
Toby, James, to January 1st, 1818,	44 18
Thompson, Charles, to December 20th, 1818,	61 07
Tucker, Seth, to January 1st, 1818,	96 24
Traile, J. to January 1st, 1818,	14 03
True, William, to December 17th, 1817,	9 71
Thompson, Arad, to January 1st, 1818,	49 65
Upton, John, to November 18th, 1817,	33 00
Wilson, Hugh, to January 11th, 1818,	27 40
Wheelwright, George, to December 4th, 1817,	17 80
Waldo, Henry S. to January 1st, 1818,	49 75
Wilder, David, to October 1st, 1817,	28 59
Webb, Jonathan, to January 27th, 1818,	59 25
Wild, Jonathan, to January 1st, 1818,	148 90
Ward, John, to November 12th, 1817,	15 75
Wyles, John, to December 31st, 1817,	44 61
Wright, David, to January 1st, 1818,	29 25
Wright, Simeon W. to January 1st, 1818,	28 32
Wilder, Elijah, to January 1st, 1818,	20 06
Wilson, Gowin, to January 13th, 1818,	40 94
Total,	$ 4,364 84

Expenses for Horses to haul Artillery.

Aldrich, Crowell, for 1817,	18 00
Blasdell, John, for 1817,	15 00

Batchelder, Jeremiah, for 1816 and 1817,	10 00
Bigelow, David, for 1817,	10 00
Brown, James, for 1817,	15 00
Babcock, Nathan, for 1817,	7 00
Benner, Philip, for 1817,	20 00
Batchelder, Samuel, for 1817,	10 00
Coffin, Samuel, for 1817,	15 00
Cloutman, Robert F. for 1817,	8 00
Cutter, Samuel, for 1817,	23 75
Cleaves, William, W. for 1817,	5 00
Crosby, Abiel, for 1816—1817,	12 00
Dunham, George S. for 1817,	22 50
Dewy, Calvin, for 1817,	6 00
Dalrymple, William, for 1817,	5 00
Everett, George, for 1817,	16 00
Fitch, Horatio, for 1817,	9 38
Goldthwaite, Moses, for 1817,	10 00
Gilley, John, for 1817,	10 00
Gay, Seth, for 1816 and 1817,	30 00
Hastings, Simeon, for 1817,	12 00
Harrington, Nathaniel, for 1817,	20 00
Hemingway, Adam, for 1817,	7 50
Hopkins, Charles W. for 1817,	6 00
Heald, Ebenezer, for 1817,	10 00
Jenkins, Weston, for 1817,	10 00
Learned, Thomas, for 1817,	25 50
Lyn, William, for 1817,	7 59
Mason, Isaac, for 1817,	9 00
Moody Dudley, for 1817,	5 00
Mellen, John W. for 1817,	12 00
Masten, William, for 1817,	5 00
Morris, Edward, for 1817	15 00
Noble, Samuel, for 1817,	6 00
Perkins, Nahum, for 1816 and 1817,	10 00
Peirce, Samuel, for 1817,	20 00
Phelps, Julius, for 1817,	5 00
Phelps, Ansel, for 1817,	5 00
Rider, John B. for 1817,	5 00
Shaw, Southworth, for 1817,	7 50
Shaw, Oliver, for 1817,	15 00
Smith, Edmund M. for 1817,	20 00
Sibley, Samuel, for 1817,	5 00
True, Solomon, for 1817,	5 00

Thaxter, Jonathan, for 1817,		54 00
Whipple, Henry, for 1816,		8 00
Warren, Calvin, for 1817,		16 00
Welsh, Edward, for 1817,		5 00
Walker, George, for 1817,		20 00
Wilkinson, Simon, for 1817,		30 00
Wheeler, Cyrus, for 1817,		37 50
	Total,	$ 696 63
Courts Martial, &c,		1569 09
Brigade Majors, &c.		2666 89
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Adjutants,		4364 84
For Artillery Horses,		696 63
	Total Military,	$ 9,819 00

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Austin, Nathaniel, Sheriff of Middlesex, for distributing precepts and returning votes, to 16th January, 1818.	8 30
Ames, Nathan, Deputy Sheriff of Lincoln County, for summoning witnesses to appear before the Committee appointed to inquire into the state of the Hallowell and Augusta Bank, to the 10th October, 1817,	7 25
Billings, Bradish, Deputy Sheriff of Suffolk County, for summoning witnesses to appear before the Committee appointed to inquire into the state of the Hallowell and Augusta Bank, 26th January, 1818,	2 50
Dutch, Ebenezer, Coroner of Kennebec County, for distributing precepts, to 25th December, 1816,	20 00
Emerson, James, Deputy Sheriff of Oxford County, for apprehending and committing to gaol, Bernice Richardson, 4th April, 1816,	10 61
Folsom, John W. Coroner of Suffolk County, for inquisition on sundry bodies of strangers, and funeral charges, to the 19th January, 1818,	94 18

Green, Asa, Coroner of Hancock County, for inquisition on the body of a stranger, and funeral charges. 26th July, 1817,	27 91
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Hunnewell, Richard, Sheriff of Cumberland, County, for returning votes, to June, 1817,	10 00
Johnson, Jotham, Coroner of Middlesex County, for inquisition on the body of a stranger, and funeral charges, 4th February, 1818,	20 35
McLellan, John, Coroner of Cumberland County, for inquisition on the body of a stranger, and funeral charges, 21st July, 1817,	14 75
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Smith, Jonathan, Coroner of Essex County, for inquisition on the bodies of sundry strangers, and funeral charges, to 23d January, 1818,	58 75
Thatcher, Samuel, Sheriff of Lincoln County, for distributing precepts, and returning votes, to 14th February, 1818,	179 00
Ward, Thomas, W. Sheriff of Worcester County, for services and fees, in disposing of Joseph Stone's estate, and returning votes to 14th February, 1818,	48 66
Total Sheriffs' and Coroners',	$ 909 44

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Allen, Phineas, for publishing notice of Commissioners of Land Office; notice respecting deaf and dumb; and acts and resolves, to December, 1817,	23 92

Ballard and Wright, for publishing list of taxes, and notice respecting deaf and dumb, to 3d October, 1817,	24 00
Clapp, William W. for publishing notice of deaf and dumb, and acts and resolves, to 1st January, 1818,	27 50
Cheever, Nathaniel, for publishing notice of Commissioners of Land Office, and acts and resolves, to 10th January, 1818,	29 16
Cushing, Thomas. for publishing acts and resolves, to June, 1817,	16 67
Douglas, Francis, for publishing list of taxes on unimproved lands in Maine, 13th July, 1817,	22 00
Dickman, Thomas, for publishing acts and resolves, to October, 1817,	25 00
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Lindsey, Benjamin, for publishing acts and resolves, to May, 1817,	16 67
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Russell, Benjamin, for publishing notice of Commissioners of Land Office, and acts and resolves, to 1st January, 1818,	26 66
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Total Printers,	$ 2,962 50

Agricultural Society, for sundry expenses in raising seeds and plants, and by experiments made by said society, in the public garden at Cambridge, under the direction of W. D. Peck; and for printing, engraving, &c. in full for the year 1817,	1000	00
Bird, Abraham, for boards and timber, furnished for State House, to 10th November, 1817,	409	83
Boston Glass Manufactory, for glass for the State House, to 6th January, 1818,	54	95
Blaney, Henry, for mason's work and materials, on the State House, to 26th January, 1818,	571	34
Bradley, Samuel, for sundry hard ware for State House, to 19th January, 1818,	180	11
Burditt, James W. for stationary furnished the government, to 10th February, 1818,	223	16
Barker, James, for sundries for the State House, to 26th January, 1818,	68	23
Bacall and Kettle, for work on the State House, to 26th January, 1818,	113	33
Ballard, J. and J. for carpeting for the State House, to 26th January, 1818,	328	39
Boston Board of Health, for sundry repairs on Rainsford Island, and schooner, to May, 1817,	267	06
Bacon, Henry, for assisting the Messenger of the General Court, to 21st February, 1818,	106	00
Cotton and Lincoln, for painting, &c. done on the State House, to 4th February, 1818,	3290	51
Chase, Warren, for assisting the Messenger of the General Court, to 21st February, 1818,	106	00
Committee for examining the Treasurer's accounts, to January, 1818, viz.:		
John Wells, 14 00		
Joseph Bemis, 14 00		
Thomas Greenleaf, 14 00		
M. Withington, 14 00		
William Tudor, junior, 14 00—	70	00
Durant and Snelling, for glazing done on State-House, 26th January, 1818,	90	00
Farrie, John, junior, for writing for the government, February, 1818,	5	00
Francis, Mary, for her son Joseph, as Page to the House of Representatives, to 21st February, 1818,	42	50

Goodrich, Isaac W. for sundry stationary for Secretary's office, to 28th November, 1817,	51 75
Grant, Moses, for making carpet, &c. for the State House, to January, 1818,	54 00
Grant, John and Charles, for paper for the State House, to 30th September, 1817,	88 37
How, Joseph, for tin ware for the State House, to 26th January, 1818,	9 16
Holt, Thomas, for sheet lead for the State House 8th August, 1817,	81 19
Kuhn, Jacob, for superintending the repairs on the State House, to 14th February, 1818,	192 00
Lincoln, Amos, for work done on the State House, to 26th January, 1818,	187 07
Lane and Lamson, for crape furnished the Legislature, 24th January, 1818,	49 17
Low, Lewis, for assisting the Messenger of the General Court, to 21st February, 1818,	100 00
Low, John, junior, for assisting the Messenger of the General Court to 21st February, 1818,	96 50
Loring, Josiah, for stationary furnished the Secretary's and Treasurer's Offices, to 19th February, 1818,	64 61
Otis and Thaxter, for boards and joist for the State House, to 26th January, 1818,	48 15
Odin, John, for sheet lead, for the State House, to 26th July, 1817,	12 89
Richardson, Alford, for his services in visiting the Alms houses, and examining paupers in sundry towns, pursuant to a resolve of the 18th June, 1817,	150 00
Shaw, John A. for white rope for State House, to 26th January, 1818,	37 00
Segar, Ebenezer, for his salary as Keeper of Rainsford Island, to 17th February, 1818,	44 44
Wheeler, John H. for work done on the State House, to 26th January, 1818,	1,395 29
West and Richardson, for stationary for the Secretary's Office, to 10th December, 1817,	21 50
Whitney Jonathan, for lime and sand for State House, to 26th January, 1818,	4 83
Wells, John and Benjamin F. for copper and work on the State House, to 26th January, 1818,	40 72
Total Miscellaneous,	$ 9,655 05

Aggregate of Roll No. 78.

Expenses of	State Paupers,	39,098 50
Do.	Militia,	9,819 00
Do.	Sheriffs and Coroners,	909 44
Do.	Printers,	2,962 50
Do.	Miscellaneous,	9,655 05
		62,444 49

Resolved, That there be allowed and paid out of the public treasury, to the several corporations and persons mentioned in this roll, the sums set against such corporations and persons' names respectively; amounting in the whole, to sixty-two thousand, four hundred and forty-four dollars and forty-nine cents; the same being in full discharge of the accounts and demands to which they refer.

February 23d, 1818—Approved,

J. BROOKS.

COMMONWEALTH OF MASSACHUSETTS.

SECRETARY'S OFFICE, MAY 22, 1818.

By this, I certify, that the Resolves contained in this pamphlet, passed at the session of the General Court, beginning the fourteenth of January, and ending the twenty-fourth of February, A. D. one thousand eight hundred and eighteen, have been examined and compared with the originals in this Office, and appear to be corect.

ALDEN BRADFORD,

Secretary of the Commonwealth.

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RESOLVES

OF THE

GENERAL COURT

OF THE

Commonwealth of Massachusetts,

PASSED AT THEIR SESSION

WHICH COMMENCED ON WEDNESDAY, THE 27th DAY OF MAY, AND ENDED ON THE 13th OF JUNE, 1818.

Published agreeably to a Resolve of 16th January, 1812.

BOSTON:
PRINTED BY RUSSELL & GARDNER, FOR BENJAMIN RUSSELL,
PRINTER TO THE STATE.

1818.

CIVIL GOVERNMENT

OF THE

COMMONWEALTH OF MASSACHUSETTS,

FOR THE POLITICAL YEAR 1818.....19.

HIS EXCELLENCY

JOHN BROOKS, ESQUIRE,

GOVERNOR.

HIS HONOR

WILLIAM PHILLIPS, ESQUIRE,

LIEUTENANT GOVERNOR.

COUNCIL.

HON. NAHUM MITCHELL,
" JOSIAH STEBBINS,
" JOHN C. WILLIAMS,
" PETER C. BROOKS,
" SAMUEL CROCKER,
" JOHN PICKERING,
" DWIGHT FOSTER,
" SAMUEL P. P. FAY,
" JAMES BRIDGE.

ALDEN BRADFORD, ESQUIRE,
SECRETARY OF THE COMMONWEALTH.

HONORABLE DANIEL SARGENT,
TREASURER OF THE COMMONWEALTH.

SENATE.

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PRESIDENT.

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Josiah Quincy,
James Lloyd,
Hon. Jonathan Hunewell,
Artemas Ward,
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JOHN FARRIE, Jun. Assistant Clerk.
Rev. HENRY WARE, Jun. Chaplain.

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HON. TIMOTHY BIGELOW,
SPEAKER.

COUNTY OF SUFFOLK.

Boston,	Stephen Codman,
	Benjamin Russell,
	Benjamin Whitman,
	Charles Davis,
	William H. Sumner,
	Nathaniel Curtis,
	John Howe,
	Jonathan Loring,
	Benjamin Gorham,
	Benjamin Smith,
	John Cotton,
	Benjamin Rand,
	David Sears,
	Francis Bassett,
	Enoch Silsby.
Chelsea.	

ESSEX.

Salem,	John Osgood,
	John Prince, junior,
	Ebenezer Seccomb,
	Samuel Ropes,
	Joseph Eveleth.
Ipswich,	Joseph Farley.
Newbury,	Silas Little,
	Daniel Emery.
Lynn,	Ezra Mudge.

Gloucester,	William W. Parrott.
Rowley,	Joshua Jewett.
Salisbury.	
Wenham,	Paul Porter.
Manchester.	
Haverhill,	David How.
Andover,	Thomas Kitteridge.
Marblehead,	John Bailey.
Topsfield.	
Amesbury,	Oliver Stearns.
Beverly,	Robert Rantoul.
Bradford,	William Greenough.
Boxford.	
Methuen,	Benjamin Osgood.
Middleton.	
Danvers,	Frederic Howes.
Newburyport,	Stephen Howard,
	Ebenezer Moseley.
Lynnfield.	
Hamilton.	
Saugus.	

MIDDLESEX.

Charlestown,	Timothy Walker,
	Oliver Holden.
Watertown,	Levi Thaxter.
Medford,	Timothy Bigelow.
Cambridge,	Samuel P. P. Fay.
Concord,	Thomas Wheeler.
Sudbury,	Isaac Gibbs.
Woburn,	John Wade.
Reading,	Edmund Parker.
Malden.	
Chelmsford,	Samuel Stevens.
Billerica.	
Groton,	Luther Lawrence.

Marlborough,	Daniel Brigham.
Dunstable.	
Sherburne.	
Stow and Boxborough,	Joseph Stone.
Newton,	Joseph Jackson.
Framingham,	John Trowbridge.
Dracut.	
Weston,	George W. Smith.
Lexington.	
Littleton,	Jonathan Manning.
Hopkinton.	
Holliston.	
Stoneham.	
Westford.	
Bedford,	John Meriam.
Wilmington.	
Townsend.	
Tewksbury.	
Acton,	Joseph Noyes.
Waltham.	
Shirley.	
Pepperell.	
Lincoln.	
Ashby.	
East Sudbury,	Micah M. Rutter.
Natick.	
Tyngsborough.	
Burlington.	
Carlisle,	John Heald.
Brighton,	Nathaniel Champney.
West Cambridge.	
South Reading.	

YORK.

York,	Elihu Bragdon.
Kittery,	Joshua T. Chase,
	Mark Dennett.

Wells,	George W. Wallingford.
Berwick.	
Biddeford,	Reuben H. Greene.
Arundel,	Joseph Perkins.
Saco.	
Lebanon.	
Sandford.	
Buxton,	Benjamin Leavitt.
Lyman,	John Low.
Shapleigh.	
Parsonsfield.	
Waterborough.	
Limerick,	William Freeman.
Limington.	
Newfield.	
Cornish.	
Alfred.	
Elliot.	
Hollis.	
South Berwick.	

HAMPSHIRE.

Northampton,	Ebenezer Hunt, junior.
Hadley,	Samuel Porter.
Hatfield.	
Pelham.	
Southampton,	Asahel Birge.
South Hadley,	Peter Allen.
Greenwich,	Laban Marcy.
Amherst,	Samuel F. Dickenson.
Belchertown,	Eliakim Phelps.
Ware.	
Chesterfield.	
Granby.	
Worthington.	
Williamsburg.	

Norwich.	
Cummington,	Robert Dawes.
Westhampton,	Joseph Kingsby, junior.
Goshen.	
Middlefield.	
Plainfield.	
Easthampton,	John Hannam.
Enfield,	Benjamin Harwood.

PLYMOUTH.

Plymouth,	William Nelson.
Hingham,	Jedediah Lincoln.
Scituate.	
Duxbury.	
Marshfield,	Elisha Phillips.
Hull.	
Bridgewater,	Daniel Howard.
Middleborough,	Seth Miller, junior.
Rochester.	
Plympton.	
Pembroke.	
Abington.	
Kingston.	
Hanover,	Reuben Curtis.
Halifax,	Zebadiah Thomson.
Wareham.	
Carver.	

BRISTOL.

Taunton,	Job Godfrey.
Rehoboth,	Thomas Carpenter, 2d.
Dartmouth,	Caleb Anthony.
Swanzey,	Daniel Hale.
Freetown,	Hercules Cushman,
	Job Morton.
Attleborough.	

Norton.	
Dighton,	William Wood.
Eastown.	
Raynham,	John Gilmore, junior.
Berkley,	Adoniram Crane.
Mansfield.	
New Bedford,	John Nye,
	John A Parker.
Westport,	Sylvester Brownell.
Somerset,	Billings Coggeshall.
Troy,	Joseph E. Read.
Fairhaven.	
Seekonk,	Oliver Starkweather.
Wellington,	Thomas S. Baylies.

BARNSTABLE.

Barnstable,	Naler Crocker.
Sandwich.	
Yarmouth.	
Eastham,	Joshua P. Atwood.
Falmouth,	Thomas Fish.
Harwich.	
Truro.	
Chatham.	
Provincetown.	
Wellfleet.	
Dennis.	
Orleans,	Daniel Comings.
Brewster.	

DUKES' COUNTY.

Edgartown.
Tisbury.
Chilmark.

NANTUCKET.

Nantucket.

WORCESTER.

Lancaster,	Benjamin Wyman,
	Solomon Carter.
Mendon,	Daniel Thurber.
Worcester,	Abraham Lincoln.
Oxford.	
Leicester.	
Rutland.	
Sutton,	Jonas Sibley.
Westborough.	
Brookfield,	Simeon Draper.
Uxbridge,	Samuel Read.
Southborough.	
Shrewsbury.	
Lunenburgh.	
Dudley,	Aaron Tufts.
Harvard,	Philemon Atherton.
Grafton.	
Upton.	
Hardwick,	Timothy Paige.
Bolton.	
Sturbridge,	Sylvester Watkins.
Holden.	
Leominster,	Joel Crosby.
Western.	
Douglas,	Welcome Whipple.
New Braintree,	Samuel Mixter.
Spencer,	James Draper, junior.
Petersham,	Asa Pond.
Charlton,	Isaiah Rider,
	Ephraim Williard.
Templeton.	
Athol.	
Oakham.	
Fitchburg.	
Winchendon.	

Paxton.	
Royalston.	
Ashburnham.	
Northborough.	
Hubbardston,	Daniel Woodward.
Westminster.	
Princeton,	David Rice.
Northbridge.	
Barre,	Simeon Metcalf.
Ward.	
Milford.	
Sterling,	Samuel Sawyer, James Wilder.
Berlin.	
Gardner.	
Boylston,	Aaron White.
Dana.	
West Boylston,	Joseph Hinds.
North Brookfield.	
Milbury.	
Phillipston.	
Southbridge,	Gersham Plimpton.

CUMBERLAND.

Scarborough.	
North Yarmouth,	Alford Richardson.
Falmouth.	
Brunswick.	
Harpswell.	
Windham.	
Gorham,	David Harding, junior.
Cape Elizabeth.	
New Gloucester.	Jabez Woodman.
Gray.	
Standish.	

Portland,	Isaac Adams,
	John Woodman.
Freeport.	
Durham.	
Bridgetown.	
Poland,	Josiah Dunn.
Otisfield.	
Minot.	
Pejepscot.	
Baldwin.	
Raymond.	
Pownal.	
Westbrook,	John Jones.
Harrison.	

LINCOLN.

Georgetown,	Benjamin Riggs.
New Castle,	Kiah Bailey.
Woolwich.	
Wiscasset.	
Bowdoinham.	
Topsham.	
Boothbay,	John Murray McFarland.
Bristol.	
Waldoborough,	Jacob Ludwig, junior.
Edgcombe.	
Warren,	Jesse Page.
Thomastown.	
Bath,	Joseph F. Wingate.
Union.	
Bowdoin.	
Nobleborough.	
Cushing.	
Camden.	
Dresden.	
Lewiston.	

Litchfield.	
Lisbon,	Benjamin H. Mace.
St. George.	
Hope.	
Palermo,	Thomas Eastman.
Montville.	
Jefferson.	
Friendship.	
Whitefield.	
Putnam.	
Alna.	
Phipsburg,	Parker McCobb.
Wales.	

BERKSHIRE.

Sheffield,	Jared Canfield.
Stockbridge,	Henry W. Dwight.
New Marlborough,	Ebenezer Hyde.
Egremont,	James Baldwin.
Pittsfield,	Phinehas Allen.
Great Barrington,	Reuben Bacon.
Sandisfield,	Josiah Wolcott.
Southfield,	Eliakim Hull.
Tyringham.	
Lanesborough,	Nehemiah Talcott.
New Ashford.	
Williamstown.	
Becket.	
Richmond.	
Lenox.	Asher Sedgwick.
Windsor.	
Peru.	
Alford.	
Otis.	
West Stockbridge,	Sanford Fitch.
Hancock.	

Washington.	
Lee,	Gershom Bassett.
Adams,	Isaac Brown.
Mount Washington.	
Dalton.	
Cheshire,	Ethar A. Rix.
Savoy.	
Clarksburgh.	
Hinsdale.	
Florida.	

HANCOCK.

Belfast,	William White.
Penobscot,	John Winslow.
Sedgwick.	
Ilesborough,	
Deer-Isle,	Pearl Spofford, Hezekiah Rowell.
Blue Hill,	Robert H. Wood.
Trenton.	
Sullivan.	
Goldsborough.	
Mount Desert,	John Somes.
Vinalhaven.	
Frankfort,	Joshua Hall.
Bucksport,	Samuel Metcalf Pond.
Prospect.	
Castine,	Thomas E. Hale.
Northport.	
Eden.	
Orland.	
Ellsworth,	Charles Jarvis.
Lincolnville.	
Surry.	
Belmont.	

Searsmont.
Brooks.
Buckstown.
Swanville.

WASHINGTON.

Machias.
Steuben.
Columbia.
Addison.
Harrington.
Eastport.
Jonesborough.
Calais.
Lubec, Horatio Gates Balch.
Robinstown.
Cherryfield.
Perry.
Monroe.
Mexico.
Dennysville.

NORFOLK.

Dorchester, James Humphreys.
Roxbury, Sherman Leland.
Weymouth, Christopher Webb.
Dedham, William Ellis.
Braintree.
Medfield.
Milton, John Ruggles, junior.
Wrentham, Jairus Ware.
Brookline, Isaac S. Gardner.
Needham.
Medway.
Bellingham.
Walpole.

Stoughton.	
Sharon.	
Cohasset.	
Franklin,	Lewis Fisher.
Foxborough.	
Dover.	
Quincy,	Thomas Greenleaf.
Randolph,	Zenas French.
Canton.	

KENNEBEC.

Hallowell,	William H. Page.
Winthrop.	
Vassalborough,	Samuel Reddington.
Winslow.	
Pittston.	
Greene.	
Reedfield.	
Monmouth.	
Sydney.	
Mount-Vernon.	
Farmington.	
New Sharon.	
Clinton,	Ezekiel Brown, junior.
Fayette.	
Belgrade.	
Harlem,	William Pullen.
Augusta,	Pitt Dillingham, Robert Howard.
Wayne.	
Leeds.	
Chesterville.	
Vienna.	
Waterville.	
Gardiner,	Rufus Gay.
Temple.	

Wilton.	
Rome.	
Fairfax,	Joseph Cammet.
Unity.	
Malta.	
Dearborn.	
Freedom,	Matthew Randall.
Joy.	
China.	Japheth C. Washburn.

OXFORD.

Fryeburg,	Samuel A. Bradley.
Turner.	
Hebron.	
Buckfield.	
Paris,	Benjamin Chandler.
Jay.	
Livermore,	Simeon Waters, Israel Washburn.
Bethel.	
Waterford.	
Norway.	
Hartford.	
Sumner.	
Rumford,	Peter C. Virgin.
Lovell.	
Brownfield.	
Albany.	
Dixfield.	
East Andover.	
Gilead.	
Newry.	
Denmark.	
Porter.	
Hiram.	
Woodstock.	

Greenwood.
Sweeden.
Weld.

SOMERSET.

Canaan.
Fairfield.
Norridgwock.
Starks.
Cornville.
Anson, David H. Raymond.
Strong.
Avon.
New Vineyard.
Harmony.
Industry.
Athens.
Madison, John Neal.
Embden.
Mercer.
Palmyra.
Freeman.
New Portland.
Solon.
Bingham.
Phillips.
St. Albans.
Kingsfield.
Moscow.
North Hill.
Corinna.
Ripley,
Bloomfield, James Bowen.

FRANKLIN.

Deerfield, Asa Stebbins.
Northfield.

Sunderland,	Nathaniel Smith.
Greenfield,	Solomon Smead.
New Salem,	Varney Pearce.
Montague.	
Colraine,	Calvin Smith.
Shutesbury.	
Bernardston.	
Warwick,	Ashbel Ward.
Ashfield.	
Charlemont.	
Conway,	Joel Parsons.
Shelburn.	
Whately.	
Leverett.	
Buckland.	
Wendell.	
Orange.	
Rowe.	
Heath.	
Hawley,	Ebenezer Hall.
Gill.	
Leyden.	

HAMPDEN.

Springfield,	Jacob Bliss.
Westfield,	David King,
	William Blair.
Brimfield,	Stephen Pynchon.
Blandford,	Abner Gibbs.
Palmer,	James Stebbins.
Granville,	James Cooley,
	Reuben Hills.
Monson,	Deodatus Dutton.
South Brimfield.	
Wilbraham.	
Chester,	Daniel Collins.
Southwick,	Gideon Stiles.

West Springfield,	Jonathan Smith.
Ludlow.	
Montgomery.	
Longmeadow,	Joseph W. Cooley.
Russell.	
Tolland.	
Holland.	

PENOBSCOT.

Hampden.	
Orrington.	
Bangor,	Joseph Treat.
Orono.	
Dixmont.	
Brewer.	
Eddington.	
Carmel.	
Corinth.	
Exeter.	
Garland.	
New Charlestown.	
Foxcroft.	
Sebec.	
Hermon.	
Levant.	
Newport.	
Sangerville.	
Dexter.	
Guilford.	

Benjamin Pollard, Esq. *Clerk.*
Henry Codman, Esq. *Assistant Clerk.*
Rev. Thomas Baldwin, D. D. *Chaplain.*

Jacob Kuhn, *Messenger to the General Court.*
John Vaughan Low, *Assistant Messenger.*
Joseph Francis, *Page to the House.*

RESOLVES

OF THE

GENERAL COURT OF MASSACHUSETTS,

PASSED AT THEIR SESSION,

WHICH COMMENCED ON THE 27th DAY OF MAY, AND ENDED ON THE 13th OF JUNE, 1818.

GOVERNOR'S SPEECH.

REPRESENTATIVES' CHAMBER, JUNE 2d, 1818.

The two Houses being in Convention, his Excellency appeared, accompanied by his Council, and the Public Officers of State, and delivered the following

SPEECH:

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

A REVIEW of the past, and an examination of the existing circumstances of the Commonwealth, can never be more pertinent or useful than on occasions like the present. The practical effects of laws upon society, furnish the legislator with the most instructive political lessons, and the safest guides for his future conduct. Laws, which time, that so unerringly developes the merit and demerit of every thing human, has proved to be adapted to the genius and circumstances of the people, command respect, and challenge perpetuation. And such appears to be the happy adaptation of the civil statutes of the Commonwealth, to our

actual condition, as to afford little room for legislative correction. The field of legislation being thus narrowed, the duties of the Legislature will be less onerous; and you may pursue, with less divided attention, the melioration of the criminal code, and the promotion of objects of general utility.

Humanity has long bewailed the miseries which crimes have brought upon society; and the efforts of many individuals and of governments have been continually making to prevent their perpetration. Some very ingenious and learned men, particularly of the last and present centuries, indulging in abstracted views of the human character, and of human rights, have proscribed all capital and coporal punishments, not only as cruel and sanguinary, as unjustifiable and useless, but as tending to produce the crimes they were designed to prevent; and the origin of punishment has been referred to an ardent spirit of domination, or to the malignant passions of men in power.

Benevolence and humanity would delight in the idea that crimes and punishments were speedily to terminate. Hopes have even been cherished by many philanthropists in our own country, that under a mild and mitigated system of penal and criminal law, the utility of public punishments would diminish, or cease. But deductions from the hypothetical rights of individuals, and the perfectability of man, are too subtle and indistinct to be assumed as practical maxims of jurisprudence. If the right of a government to inflict a high degree of punishment be denied, it will be difficult to define a point, at which the right to punish in any degree shall commence.

Meeting the question upon the broad ground of justice and public utility, the government of Massachusetts, maintaining the right to punish, has abolished many of the ancient laws which ordained the infliction of death as a punishment. An appeal to our present statutes will show that great improvements in favor of human weakness have been effected. We can only, however, permit ourselves to boast of an approximation to a due adjustment of punishments to the various grades of offences. Crimes are daily perpetrated, and much remains to be done. Even in the present improved state of our own country, when the spirit of liberty, of philosophy, and of the christian religion, have united to suppress vice and crimes, to mitigate the rigor of

punishments and to endow them with a reforming power, we painfully witness the protracted prevalence of vice and depravity: And it continues to be the indispensable, though irksome duty of a Christian Legislature, to ordain punishment for crimes, and by good and wholesome laws, protect the persons and property of the orderly and virtuous against the depredations and outrage of the unprincipled and audacious.

The utility of a concentrated system of penal and criminal law, in which punishment shall be graduated by the nature and aggravation of crimes, and adapted to the actual state of society and public sentiment, was duly appreciated by your immediate predecessors; and I have great satisfaction in adding, that a revision of the criminal code of this Commonwealth was, to the fullest extent, referred to a committee of three of our most learned and distinguished Jurists, designated by the Legislature in the month of February last; from whose talents and labors we may anticipate the most salutary results.

In adverting to objects of general utility, I limit my own views to inviting *your* attention to considerations of that character. The present period being a time of peace, the citizens not only of this state, but of the other states in this confederacy, are assiduously availing themselves of the moment to cultivate and improve the arts of life, and to augment the means of personal and social enjoyment. And it is worthy of particular remark, that in some, if not in most of the states, large appropriations of money have been made by their Legislatures to animate individual labor, and to give effect to combined enterprize. By a reference to the statutes of Virginia it will be seen, that, soon after the termination of the late war, a "Board of Public Works" was instituted, vested with full power to pledge that state in a limited ratio, as a party to any enterprize founded on public utility, that should be approved by the board. By referring to the statutes of the state of New York, of a more recent date, it will be found that the Legislature has assumed in behalf of that state, the construction of a canal from Lake Erie to the confluence of the Mohawk River with the Hudson, and of another canal to communicate with Lake Champlain and the last mentioned river.

In concerns of high import, Massachusetts has not been accustomed to want decision or zeal. Her fiscal resources,

liberated by the late repeal of the internal revenue laws of the United States, are various and might be rendered productive. In the present state of peace and general prosperity, rich as she is in her agriculture, in her various fisheries and manufactures, but especially in her commerce, and the redundant capital of her citizens, she ought to feel herself, without the pressure of additional taxes on the great body of the people, amply competent to every object of general improvement and advantage that can offer itself to her patronage.

The project of cutting a canal through the peninsula of Cape Cod, has repeatedly engaged the attention of the Legislature. The magnitude of that object in relation not only to the coasting trade and commerce of this state, but of the United States, and the facility of communication it would afford, in the event of a war, between Massachusetts Bay and the waters leading to ports on the Delaware and in the Chesapeake, as well as to the contiguous states of Rhode Island, Connecticut and New York, unite in recommending the merits of the undertaking to thorough examination ; whence motives may be eventually derived for the government of this state, and that of the United States, efficaciously to further its accomplishment.

To encourage industry, the great source of competence, and the friend of health and good morals, always merits the care of the Legislature. Improvement in the arts is progressive ; and besides, that prepossessions in favor of established customs and practices oppose themselves to reform, most men are obliged to labor for subsistence, and pursue those plans of execution to which they have been habituated. In agriculture few individuals possess the means of instituting those extensive and elaborate experiments by which the powers of soil and climate are developed. Nothing perhaps can more decidedly evince the intelligent and guardian care of the Legislature over this interesting branch of political economy, than the establishment of the Massachusetts Agricultural Society, and other institutions for the advancement of similar objects, together with the liberal grants of money from the treasury, which have been made in aid of individual contribtuions. Through the agency of these institutions, and the persevering and generous efforts of the gentlemen by whom they are administered, a lively impulse has been imparted to agriculture, and every

portion of the state is flourishing under their genial influence.

Among the numerous objects which at all times are interesting to the people and government of the Commonwealth, the department of the treasury is one of the most prominent. Although, by the adoption of the Constitution of the government of the United States, the several states have relinquished the most productive sources of revenue, yet from those branches over which the states retain a concurrent jurisdiction, a competent supply, not only for the support of government and the payment of the state debt, may be derived, but for extraordinary contingencies, and the occasional encouragement of any important branch of political economy, that may solicit the fostering care of the state.

At this time it merits particular notice, that for more than twenty years a considerable proportion of the money received into the treasury has been derived from the payment of the interest, and part of the principal, of the United States stock belonging to the Commonwealth. Thus an amount of the six per cent stock of the United States, amounting in the year seventeen hundred and ninety-six, to eight hundred and thirty-two thousand, five hundred and thirty-four dollars, is reduced to twenty-four thousand, three hundred and sixty-two dollars and eighty-seven cents; which stock will be extinguished on the first day of October of the present year. The deferred stock, which in the year one thousand eight hundred and two, amounted to four hundred and sixteen thousand, two hundred and sixty-seven dollars, is now reduced to one hundred and seventy-four thousand, nine hundred and sixty-six dollars and forty-five cents. But by the arrangements of the United States' treasury, under the provisions of sundry acts of Congress, instalments of this stock are to be annually paid, together with the interest, until the first of October one thousand eight hundred and twenty-four, when this stock will likewise be extinguished.

From an estimate that has been communicated to me by the Treasurer of the Commonwealth, it appears, that extraordinary occurrences excepted, the balances of outstanding taxes in the hands of Collectors and Sheriffs; the avails of the tax on banks; the sums arising from the payment of the interest and several instalments of the principal of United States stock; together with a small amount of interest to be received from sundry individuals who are debtors to the state, will enable the Treasurer to meet all the demands

which will be made upon his department in the course of the current year. But inasmuch as the whole of the old six per cent. stock will be extinguished in October, and as it is probable that at least equal demands will be made upon the treasury in succeeding years, a deficiency of revenue after the expiration of the present year, may occur. And it is submitted to your wisdom, gentlemen, whether some mode of supplying the demands and placing the finances of the state upon a stable and productive foundation should not, in the mean time be devised? An arrangement of this nature will rise in importance, should a reduction and extinction of the debt of the state be contemplated.

In selecting sources of revenue, all those considerations which appertain to so delicate a subject will undoubtedly have their merited weight in your deliberations. The farming interest has ever been disposed to contribute its share of the fiscal demands of the state; and on great emergencies, when dangers have pressed on the Commonwealth, its efforts have been limited only by the occasion. The consequences, however, of drawing revenue too copiously from this source, though first felt by the agriculturalist himself, operate remotely upon every class of society. Little objection can be urged against the moderate tax now laid on polls. But taxes on labor must increase its price, or be drawn from that portion of the product of it, which, to maintain the laborer in full vigor, ought to be appropriated to his subsistence. Taxes on polls and real estates, susceptible of being only annually laid, and being slow and expensive in collection, must be circumscribed in amount. But revenue derived from trade and commerce, from duties on luxuries, and on articles which are consumed or used only, or chiefly by the wealthy, while they admit of indefinite extension, are collected with promptness, with facility and little expense.

The Secretary will lay before you, gentlemen, for your information, the report of a special committee of the House of Representatives in Congress, on the subject of the claims of this Commonwealth against the government of the United States, together with sundry accompanying documents; the consideration of which report was postponed until the next session. Although the merits of the claim have never been discussed in the National Legislature, yet, considering the nature and magnitude of the object for which the expendi-

tures were incurred; the danger of menaced invasion at the period when a large proportion of the disbursements was required, upon a maritime frontier of more than five hundred miles in extent; the remarkable unanimity of sentiment which then prevailed among all classes of our citizens, and the cordiality with which they united their labors and zeal in raising works of defence against the common enemy; and more especially the liberal and unhesitating manner in which the resources of the state were employed, as well for the defence of the posts, navy, and other property of the United States, as for the immediate defence of its own territory and population, we may confidently presume, that the general merits of the claim, will be duly appreciated; and that the enlightened statesmen to whom are now confided the destinies of our nation, will authorize a reimbursement. In this expectation, we feel the greater confidence, from witnessing the adoption of those liberal and comprehensive views of general policy, which have elevated the United States to their present exalted grade in the scale of nations.

It is not deemed necessary, on this occasion, to advert to considerations, which have only an indirect bearing on the subject in question. Whatever agency Massachusetts may have had in establishing the national government; or however great her sacrifices or valuable her contributions in supporting its existence and efficiency, in the spirit of amity and accommodation which produced the compact, we concede that she enjoys an equivalent; and in estimating and remunerating her contributions and various efforts for the public defence, she asks only the same measure of justice and equity, that has been observed, for analogous expenditures, towards her sister states.

That the Constitution of the United States has been productive of the most beneficial effects; that the blessings resulting from it have transcended the utmost hopes of the sages who formed, and the states which adopted it, are subjects of high gratulation and joy, and of devout gratitude to that Being who rules among the nations. But to ensure a continuance of its beneficial effects, the principles upon which it was founded, must be maintained in their purity. The primary apprehensions of many of its friends, which arose from an imagined imbecility in its structure, have subsided; and the severe trials it has sustained, sufficiently demonstrate its tone and vigor. The proofs of its strength however,

have been intermingled with admonitions of its tendency to accumulate power by refinement and construction; and should the time arrive when the sovereignty of the states shall be merged in the general government, the catastrophe must probably be effected by the extension of constructive prerogatives. Whatever difficulties may occur in drawing a line between those rights which have been surrendered, and those which are retained by the states, it is to be remembered, that on every question of doubtful import, touching the distribution of power, a favorable construction is due to the individual states, under a provision, sacred as it is decisive, that all powers not expressly given are withheld.

In support of this doctrine, which I deem essential to the preservation of the true nature of our institutions of government, it is highly satisfactory to me to be able to cite the opinions of the President of the United States, and of his immediate predecessor. The opinion of the latter was expressed in giving his negative, among the last acts of his administration, to a bill that had passed both Houses of Congress, on the subject of making appropriations for roads and canals. Among the reasons he assigns for exercising the right of negative, he observes, "that such a power is not expressly given by the Constitution, and that it cannot be deduced from any part of it without an inadmissible latitude of construction; and believing also that the permanent success of the Constitution depends on a definite partition of powers." And the President in his message, at the opening of the late session of the National Legislature, expressed a concurrent opinion on the same constitutional question, upon the ground "that Congress do not possess the right, assumed in the bill; that it is not contained in any of the specified powers granted to Congress; nor," the President adds, "can I consider it incident to, or as a necessary mean, for carrying into effect any of the powers specifically granted." Further to illustrate this important subject, and at the same time to point out the legitimate mode of acquiring power, in instances where the distribution of it may be equivocal, the message adds, that "in cases of doubtful construction, it comports with the nature and origin of our institutions, and will contribute much to preserve them, to apply to our constituents for an explicit grant of power."

Under this aspect, it must yield us the highest satisfaction to reflect, that constitutional principles bear with paramount

weight on our national councils; and forbearing on my part to interpose an opinion on the subject of allusion, we may feel confident that while the great and vital provisions of our Constitution are thus tenderly and watchfully guarded, the rights of the states and the liberties of the people will remain unimpaired.

Gentlemen, we may recognize the general course, but can never enumerate the instances of divine goodness to our fathers, nor to ourselves. Future events are inscrutable. But we see and feel that the condition of our country is flourishing and happy; and it demands our gratitude. The fathers of the revolution indeed promised us much; but more is realized. They promised us liberty; and on what portion of the earth were the blessings of it ever enjoyed to an equal extent? They taught us the value, and inspired the hope of religious freedom; and what impediment here exists to limit the human mind in the pursuit of truth? What authority to bind and enslave the conscience? Nor is this all. From institutions founded on the basis of justice and equal rights, a peculiar spring and force has been imparted to the American character; and our nation, though but of yesterday, is rivalling in science, in arms and the useful arts, the attainments of the most antient and improved nations of Europe. While, then, we admire and venerate the wisdom of our fathers, let us unite in sentiments of gratitude to a benevolent Providence for all our exalted privileges and social blessings.

The Secretary will lay before you, a letter I have recently received from the Honorable Eli P. Ashmun, resigning his seat in the Senate of the United States.

Some further communications will be made to you hereafter by message; and I shall derive great satisfaction in uniting my own endeavors with yours, to promote the public weal.

JOHN BROOKS.

ANSWER OF THE SENATE.

May it please your Excellency,

THE Senate respectfully present to your Excellency their sincere congratulations on your re-election to the Chief Magistracy of the Commonwealth. It is a renewed pledge of the confidence of the people in that ability, integrity and patriotism, which have been so conspicuous in the public services and private life of your Excellency.

The Constitution has made it the duty of the Legislature frequently to assemble for attention to public concerns, for the redress of such grievances as may exist, and for the making of such laws and regulations as the exigences of the state may require. No occasion can be more suitable for a "review of the past and the examination of the existing circumstances of the Commonwealth," than the annual assembly of this Legislature, called together by the free suffrages of the people. The Senate have received with great pleasure, the interesting view presented by your Excellency of the important subjects entitled to their attention. They rejoice to believe that time has proved the excellency of our Constitution, and our most important establishments and laws, and their conformity to the condition and circumstances of the state. It is the sacred duty of the Legislature to repeal any existing laws that are oppressive, and to make such additional regulations, as the general interests of the state may require. But, is there not some danger, that in a government like ours, where acts are passed with so much facility, the statute laws may become too numerous and be too frequently changed? Frequent alterations of laws are attended with great inconveniences, and should be avoided, unless experience has fully proved the evils of those in existence. The Senate are therefore highly gratified, that it has not by your Excellency been thought necessary to recommend any such change, excepting what may relate to "the improvement of the criminal code."

A "Christian Legislature" cannot but feel the obligation, and will not shrink from the duty, however irksome, of ordaining such punishments for crimes, as shall be adequate to the protection of property, and the security of the rights of persons against the fraud and violence of the lawless. The beautiful and brilliant theory of reclaiming the unprincipled and abandoned by the mild and gentle means of persuasion and reproof, so long cherished and inculcated by the benevolent and humane, we are reluctantly compelled to abandon as vain and illusory. The lessons of experience, rather than the suggestions of speculation, are the true sources of wisdom, and the surest foundations of policy. The right and the necessity of inflicting punishments arise from the obligation of government to afford defence and protection. Vengeance on criminals is not the design of penalties; but those penalties are surely too light, that are not sufficient to deter and restrain the atrocity of offenders.

In this period of peace and prosperity, the people in various parts of our country are making great efforts in accomplishing objects of internal improvement. This spirit receives the aid and encouragement of the governments of some of the large states, who are exercising a liberal policy for the increase of their wealth, population and resources. In this career of improvement, Massachusetts has never been behind any of her sister states. The citizens of this state have always been distinguished by enterprize.

Associations for the purpose of improving the arts and accommodations of life have ever found the Legislature ready to encourage them, by granting such powers and privileges as they might reasonably require. Many humane and literary institutions have received the favors of government; and the flourishing state of our Colleges and our ancient and venerable University, which by the Constitution this Legislature is bound to cherish, are noble monuments of legislative patronage, as well as individual liberality.

The Senate will be ever ready to unite with your Excellency in bestowing on the proposed canal and every enterprize for public utility, that attention which its importance may demand; and to aid in accomplishing them, as far as may be the duty of the government, will be among their most pleasing employments.

Among the objects entitled to the attention and patronage of the Government, the Senate have received with great

satisfaction, your Excellency's recommendation of the interests of agriculture. "Under the guardian care of the Legislature," the Berkshire and Massachusetts Agricultural Societies have been incorporated, and "liberal grants of money have been made in aid of individual contributions." Similar institutions are now rising up in various parts of our Commonwealth, encouraged by our most distinguished and public spirited citizens; and their beneficial effects have already been extensively felt.

The lands in this Commonwealth may generally be rendered fruitful, and become a source of increasing wealth and plenty. What though the soil may not "yield her increase," so readily as in the milder climes of the south; an equivalent is found in the health, industry and frugality that attend the labors of our husbandmen. The cultivation of the soil was honored by our ancestors, and we trust will ever be cherished by their descendants.

The communication of your Excellency upon the state of the treasury, at this time peculiarly interesting, shall receive the deliberate attention of the Senate. They learn with pleasure that the receipts at the treasury will enable the state to meet all the demands for the current year. The preservation of public credit is one of the first objects in the policy of every wise government; and it has become the duty of the Legislature "to devise and adopt some permanent and productive plan of finance."

By the adoption of the Constitution of the United States we have granted to the General Government the most productive source of revenue, that which arises from commerce, but the sources which still remain, are adequate to all the wants of the state. One ground of opposition to the Constitution was, a fear lest the authority it granted to Congress "to lay and collect taxes," might, by misapplication, be considered an exclusive power in the general government. But the construction given by the framers of that instrument was, that this right was concurrent in the general government and the individual states; and that "it was not probable this power would be resorted to by the General Government, except for supplemental purposes of revenue." Accordingly the states have continued to exercise it, and have derived a great revenue from this source.

During the late war, a direct tax exceeding six hundred thousand dollars; more than four times the amount of our

annual state tax, was assessed upon this Commonwealth in one year; taxes were also laid on licenses to distillers, on sales by auction, on licenses to retailers, on notes, on carriages, on household furniture, and various other articles. Now, the internal revenue laws are all repealed, and the resources of this Commonwealth "are various, and might be easily productive." And we can no more doubt the readiness, than the ability of her citizens to meet all the just demands of a government, with which they are so closely connected. To the superintending care of the State Governments, are the people more immediately indebted for the security of their dearest rights, their domestic and personal interests.

The subject of the claims of Massachusetts for expenses incurred during the late war, is intimately connected with the concerns of the treasury. Considering their great importance, as well as their justice, we cannot but regret that they have not yet been adjusted and allowed by the General Government, and that a discussion of them by the National Legislature, if necessary, has been so long delayed. No one can more justly appreciate their merits than your Excellency, who took so important a part in the measures of defence in which they originated. It was at a period of general alarm, and when we were exposed to attack upon every part of our extended frontier. These disbursements were called for by the public, while a remarkable unanimity of sentiment prevailed upon their necessity. But what should ensure at least the patient investigation of these claims, (as your Excellency has justly remarked,) is the liberal and unhesitating manner in which the resources of Massachusetts were employed, as well for the defence of the ports, navy and other property of the United States, as for the immediate protection of its own territory.

The Senate will cheerfully unite with the other branches of the Government in any further measures that may be necessary to effect their settlement.

We unite with your Excellency in mutual congratulations and devout gratitude for all the blessings which have flowed to us from the Constitution of the United States; blessings beyond the anticipations of its most sanguine friends. But to ensure a continuance of these beneficial effects, "we must often recur to the principles upon which the Constitution was founded, and to the great causes of the union."

No apprehension can now be had of the weakness of a Constitution which has borne us in safety through so many trials and dangers at so eventful a period. The fears of its friends must arise from another source, "the tendency of the government to accumulate power by refinement and construction." Should the sovereignty of the states ever be lost, it will sink gradually before assumption of power. An exposition of the general phrases of the Constitution favorable to the power of the government of the United States would, by degrees, consolidate the states into one sovereignty. Had the Constitution contained no provision upon this subject, in all doubtful cases, a favorable construction would still have been the right of the states. That questions should arise upon the powers of the general or state goverments in a confederacy like ours, is to be expected, and we should never forget, that in all cases, the Constitution "contains a provision as sacred as it is positive, that all powers not expressly granted, are withheld."

We have been gratified by the expression of your Excellency's opinion "in support of this doctrine, so essential to the preservation of the true nature of our institutions of government." It is peculiarly important to recur to such vital principles in a time of universal harmony, when the measures of government are watched by no jealousy. The people of the United States should always recollect, that the union is a confederation of independent sovereign states, associated together for limited objects; and that all the powers delegated to the General Government are defined by the Constitution. The consolidation of the states was never contemplated by any of the sages who framed the Constitution. All admitted the evils that would flow from it; the only subject of controversy, was its probability. Fortunately, experience has proved that there is no inconsistency between the just power and strength of the National Government, and the independence of the states. The several states are the great pillars, which support the vast and beautiful temple of our republic, and their union is its strength and security.

It is the grateful duty of the Senate to recognize with your Excellency, "the instances of divine goodness to our fathers and to ourselves." That "no people can be bound to acknowledge and adore the invisible hand which conducts the affairs of men, more than the people of the United

States," was the pious sentiment of the immortal Washington. "We see, we feel that the condition of our country is flourishing and happy, and it demands our gratitude." We behold it rejoicing in health and prosperity, rapidly increasing in population, and enjoying the blessings of civil and religious liberty. Agriculture is every where improving; our manufactures are becoming permanent; and commerce, without the aid of which, agriculture and manufactures must both languish, is free and flourishing. We are making rapid progress in the arts, in science, in literature, and all that adorns and improves society.

The history of all republics will shew, that the existence of this form of government is inseparably connected with purity of manners, the practice of the moral and social virtues, and an ardent patriotism. Let the citizens of this happy Commonwealth then reverence and support our religious, literary and political institutions, and cherish an affectionate remembrance of our fathers, from whom we received them. And above all, let us unite "in sentiments of gratitude to a benevolent Providence, for all our exalted privileges and social blessings."

ANSWER

OF THE

HOUSE OF REPRESENTATIVES.

May it please your Excellency,

THE House of Representatives derives great satisfaction, from the opportunity afforded of again addressing you, as Chief Magistrate of the Commonwealth. It has given, and will continue to give to the communication, your Excellency has been pleased, personally to make to both branches of the Legislature, the attention, demanded by the importance of the subjects submitted to their consideration. This attention is the more required by the clear and able manner, in which those subjects are developed and elucidated.

It is a cause of gratulation, that the laws, regulating and securing the rights and property of our fellow citizens, are generally so well adapted to their condition, that little, if any alteration in the civil code, at present, appears to be necessary. The House of Representatives, while actuated by a due regard to the welfare of its constituents, will not be hasty, in giving its assent to the alteration of laws, that have stood the test of time, and are interwoven with our system of jurisprudence. It will, however, always be among its duties, to assist, in adding to the civil code, such new modifications, as the changes in the condition, and pursuits of the people, may, from time to time, require. Governed by the principle, that laws, should not be continued in force, merely because they are laws, it is hoped that no improper veneration for antiquated statutes, or forms, will prevent those salutary changes, whose necessity may hereafter become apparent. By uniting vigilance with caution, the laws, by a prudent Legislature, will be made so to correspond with the necessities and habits of the people, as to be, neither above nor below their condition,

nor inadequate to their wants. Thus, when the increase of our population, the extension of enterprize in agricultural, manufacturing and commercial pursuits, and other circumstances connected with our growing prosperity. had caused such complication in contracts, and other instruments, concerning real and personal property, as to produce wrongs, for which, in our code, remedy was difficult, reform became necessary. In affording remedies, deep-rooted prejudices were removed, and equity powers, to a certain extent, by the preceding Legislature, were vested in the Supreme Judicial Court. The fabric of our jurisprudence, raised on the basis of the common law, being thus, in a good measure completed, our constituents may congratulate themselves, that no one can suffer wrong, for which he may not obtain remedy from the enlightened and pure judiciary we are favored with, in all cases over which the judiciary has jurisdiction.

In a country, where a comfortable subsistence can be so easily obtained, by those having a moderate share of health and strength, which offers steady and well remunerated employment, consonant with the various inclinations of different individuals; each of whom, according to his wishes, may direct his industry to the cultivation of the soil; to the fisheries; to the navigation of the ocean; to mercantile avocations; to the mechanic arts; or, to our rising manufactories; there certainly is less to be offered in extenuation of crimes, resulting from a trespassing, furtive disposition, than in communities in these particulars, less fortunately circumstanced. While humanity, therefore, looks with compassion on crimes and errors, the offspring of despair and want, she will regard sternly, and frown, as with the full terrors of vindictive justice, on such offences, as owe their origin to depravity of heart, or dissolute idleness. Comparing our present population with that of times past, it has not escaped observation, that crimes of violence have lessened. But we fear, that crimes and misdemeanors, the issues of fraudulent artifice, or a sordid spirit, have increased. These, we shall ever be solicitous to prevent, and consign the cunning and artful knave to public shame, as well as the more daring and violent criminals to public ignominy.

From the labors of the eminent jurists to whom our immediate predecessors referred the examination and revision

of the criminal code, great benefits are confidently expected. We will sedulously co-operate in the formation of "a concentrated system of criminal law," in which punishment will be proportioned to the nature of offences, and to the degree of turpitude and malignity of motive and design, evinced by the offenders, and do all in our power to effect the great end of the criminal code, the prevention of crimes.

Your Excellency may rely on the disposition of this House, to give its attention to the consideration of the objects of general utility, to which you have referred. This period of general prosperity is peculiarly favorable to that developement of internal resources, and extension of public improvements, in which so many of our sister states are assiduously engaged. The examples of New York and Virginia will not be lost upon Massachusetts. The great enterprizes for the promotion of internal navigation, which those states, with broad prospective views, have so wisely and extensively promoted, must produce an useful emulation. Beneficial will be such rivalry. It is not a contest to support cankering military establishments for mutual conquest; nor is it an effort to outshine in the pageantry of courts; but it is a strenuous endeavor in each, to do most, to bring into active operation, and apply its resources in facilitating communications and other improvements, and thus obtain superior advantages to its agriculture, manufactures and commerce. Such rivalship will ever be approved and encouraged by enlightened statesmen for its beneficial tendencies, not only to the states engaged, but to the nation. The population, the wealth, the enterprize, and the intelligence of this Commonwealth, will not suffer it to halt in the rear of any other, in the prosecution and patronage of eminently great and useful undertakings. The flourishing condition of its fisheries; the wide extent and richness of its commerce; the productiveness of its manufactures, when conducted by skill and industry; and the increasing improvement of its agriculture, constantly accumulate the means of public improvement; while the return of peace, and the repeal of the internal taxes and duties, have given it, at once, the double advantage of enlarged prosperity, and lessened burdens. Such a condition enables the Government to extend the resources of the state,

and gives it the salutary powers of affording its aid to works of great importance and permanent utility.

The necessity of, and great public advantages to be derived from a canal, across the isthmus of Cape Cod, early arrested the attention of our ancestors. The project since, at times, has received those promises of encouragement which might be expected, in favor of a design fraught with such important benefits to the public, and so pressingly urged by humanity. All the examinations and surveys concur in its practicability; and the increase of valuable commerce since one thousand seven hundred and ninety-two, the last time it received any actual encouragement from the Legislature, affords strong reasons for believing, that the time has quite arrived when it will be executed. Its immediate utility in connecting different parts of the state; its great advantage to a most important and rapidly increasing coasting trade; its removing the greatest obstacle to an easy and safe communication between the eastern and middle, and southern section of the Union; its peculiarity as a sea canal, for the use of the vessels of all the states; its obvious advantages in time of war, not only in facilitating and protecting the coasting and foreign trade, but in its assistance to a safe and expeditious transport between different naval and military depots; and finally, its affording a short route, to at least, all the smaller classes of ships of war, render it, in our opinion, more peculiarly an object of national, as well as of state patronage, than any other canal in the United States. These, with other considerations, induce us cordially to join with your Excellency in opinion, that from them motives must be derived for the government of this state and that of the United States, efficaciously to further its accomplishment. With such support, united with private enterprize, we entertain no doubt this great undertaking will be early accomplished.

To agriculture, the House of Representatives will afford the encouragement required by an interest, of all interests the most important, and on which all others more or less remotely depend. It affords us pleasure to witness agricultural improvements rapidly advancing, and suitable grants will be made, in aid of the generous and disinterested efforts of the individuals composing the Massachusetts Agricultural Society, and the other societies instituted for

the promotion of this important object. To these associations, many of those improvements may, in justice, be attributed. A proper sum, annually appropriated for the encouragement of agriculture, and the manufacture of its staple productions, will always, under judicious management, be more than remunerated, by the increased produce of the soil, and the enlarged comforts of the people.

To the fiscal concerns of the Commonwealth, we shall give the solicitous attention required, not only by the disclosure your Excellency has so acceptably made of the situation of our finances, but by the Constitution of the state, which enjoins on the House of Representatives, the duty of originating "all money bills." In selecting sources of revenue, we shall be careful to choose those that will supply the treasury, to the requisite extent; and, that it be done in such mode, as will be most convenient in collection, and bear most equally on our fellow citizens. Aware that the existing taxes are levied chiefly on land, and on the income, and, in the form of a poll tax, on the persons of our constituents, and on the chartered banks; certain articles of mere luxury, and particularly those classes of business which, as affecting the public morals and ordinary modes of trade, cannot be pursued without permission of law, will not escape our views, in the examination of this subject.

We are happy to learn from your Excellency, that the claim of this state on the United States, for part of the expenses incurred in the common defence, during the late war, having received the examination of a committee of Congress, will be submitted to the consideration of that honorable body, at its next session. Not doubting the same measure of justice will be meted to Massachusetts, as has been given to other states, we cannot but believe this business will soon be brought to a satisfactory termination. Calling to mind the remarkable degree of economy which attended the expenditures constituting the amount of that claim; the labors, the services, and the sacrifices made, not only by the state at large, but by towns, and other corporations, and patriotic individuals, in defence of a sea-coast of "more than five hundred miles in extent," much of which, does not constitute any part of the charges against the United States; and especially when we reflect that many of the important works will long remain, monu-

ments of the patriotic zeal and generous devotedness to country, of all classes of our fellow citizens, that had an opportunity to assist in their formation, either by personal labor, or by contributions of money; and knowing, that these works, and the services connected with that claim, were necessary, and intended and used for the common defence; and that most of the works now, and for a long time to come, will require only to be manned and mantled, effectually to defend the ships, the arsenals, the navy yard, and other property of the United States, against any enemy; we cannot believe, that what was done for the defence of all, much of which now remains for national use, will not be remunerated by the General Government.

To the Constitution of the United States, is our country deeply indebted for its security and prosperity. Containing in itself, ample provision for amendment, its powers may be enlarged or diminished, in a peaceable manner, as the good of the people may require, and as the people may will. Any attempt to add to, or diminish its prerogatives by forced constructions, or in any manner, other than that prescribed by itself, will be zealously opposed by all, having a due regard to their own welfare, or that of their posterity. The National Government moving without aberration, in its own orbit, and the respective states confining themselves to their prescribed revolutions, this grand system will revolve in harmony, with a duration as long as the people will love to be happy, and continue to be virtuous and intelligent.

Next to a most gracious God, to whom we offer the devout homage of our hearts, is our gratitude due to those heroes and statesmen, the founders of our republic, whose wisdom and bravery have conferred the great blessings we enjoy. The provision made by Congress, for the relief of the surviving officers, seamen, marines, and soldiers of the revolution, who are, or may be in destitute circumstances, affords some evidence that republics are not always ungrateful. In the source whence this measure emanated, we recognize the distinguished individual presiding over the nation, who in early life gave himself to the dangers and sufferings of the revolutionary contest. Having shared in their dangers, and witnessed their privations, anxious must he have been, that the country to which these desti-

tute warriors had given their all, should provide for them in the decline of life, and gild the clouds of their evening sky with the rays of a nation's gratitude.

May it please your Excellency: By the free suffrages of your fellow citizens, you are again called, in the wisdom of mature age, to guard those rights and liberties, your youthful valor eminently assisted to achieve. In all the measures for the public good, to which you have asked, or may ask its attention, the House of Representatives will be governed by the injunctions of the Constitution of this Commonwealth, as expressed in its imperative language, that its duty shall be at all times "to cherish the interests of literature and the sciences, and all seminaries of them; especially the University at Cambridge; public schools and grammar schools in the towns; to encourage private societies, and public institutions; to give rewards and immunities for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and a natural history of the country; to countenance and inculcate the principles of humanity and general benevolence; public and private charity; industry and frugality; honesty and punctuality in their dealings; sincerity, good humor. and all social affections, and generous sentiments among the people."

RESOLVES.

JUNE, 1818.

CHAP. CLVI.

Resolve on the petition of Abigail Lear, praying for payment of a Legacy. June 4th, 1818.

On the petition of Abigail Lear, praying that Stephen Wales, Executor of the last will and testament of Enoch Glover, may be authorized and directed to pay over to the said Abigail Lear, the legacy, which the said Enoch Glover, in his said will, gave to Freeman Glover, now deceased, the child of the said Abigail;

Resolved, For reasons set forth in said petition, that the said Stephen Wales, Executor of the last will and testament of Enoch Glover, late of Dorchester, in the county of Norfolk, deceased, be, and he hereby is empowered and directed to pay over to the said Abigail Lear, of Dorchester aforesaid, widow, the mother of Freeman Glover, late of said Dorchester, deceased, all the amount of the legacy given to said Freeman Glover, in and by the last will and testament of Enoch Glover aforesaid; and the Judge of Probate of the county of Norfolk, is hereby authorized to approve of, and allow said payment, in the settlement of said Executor's account in the Probate Office, accordingly.

CHAP. CLVII.

Resolve establishing the Pay of the Council, and the Members of the General Court. June 4th, 1818.

Resolved, That there be paid out of the treasury of this Commonwealth, to each Member of the Council, Senate, and House of Representatives, two dollars for each and every day's attendance, the present political year; and the like sum of two dollars, for every ten miles travel from their respective places of abode, to the place of the sitting of the Legislature, at every session thereof.

And be it further resolved, That there be paid to the President of the Senate and the Speaker of the House of Representatives, each two dollars per day, for each and every day's attendance, in addition to their pay as members.

CHAP. CLVIII.

Resolve appointing Benjamin Russell, Printer to the State. June 4th, 1818.

On the petition of Benjamin Russell, of Boston, in the county of Suffolk, praying to be appointed and employed as Printer to the General Court, the ensuing year;

Resolved, That the said Benjamin Russell be, and he hereby is appointed the Printer of this Commonwealth, for one year from the fourth day of June instant, to be fully completed and ended, and until another State Printer shall be appointed in his stead: *Provided*, he the said Russell shall do and perform, or cause to be done and performed, the printing, in a faithful and workman-like manner, on good and suitable paper, and with all reasonable despatch, and to the acceptance of the officers for whom the work may be done.

Be it further resolved, That the compensation which shall and may be allowed and made to the said Benjamin Russell, for printing, and materials furnished as aforesaid, shall be such as the Committee on Accounts may deem to

be just and reasonable; they, the said Committee on Accounts, taking into consideration and comparison, the pay and allowance heretofore made, for similar and like services rendered, and articles furnished by printers to the General Court, for several years last past.

CHAP. CLIX.

Resolve granting a Tax on the County of Worcester. June 5th, 1818.

WHEREAS the Clerk of the Circuit Court of Common Pleas for the county of Worcester, has exhibited an estimate, made by the said Court, of the sum necessary to be raised the current year, to defray the expenses of building a House of Correction, in and for said county, and of the purchase of the land on which to build the same; Therefore,

Resolved, That the sum of five thousand and five hundred dollars be, and the same is hereby granted as a tax for the said county of Worcester, the present year; to be apportioned and assessed, paid, collected and applied for the purpose aforesaid, according to law.

CHAP. CLX.

Governor's Message. June 4th, 1818.

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

On the thirty-first of January last, a resolve passed the Legislature, authorizing the Governor, with the advice of Council, to erect a fire proof building, on some convenient part of the land adjoining the State House, for the purpose of safe keeping all the public records of the Commonwealth; and authorizing the Governor to draw his warrant on the

treasury for any sum or sums, not exceeding two thousand dollars, from time to time, as the same may be wanted for completing said building.

The subject of that resolve having been laid before the Council, the site on which a building of sufficient dimensions to contain all the records of the Commonwealth examined, and an estimate of the probable expense obtained, it was considered, and so advised by the Council, that the business of erecting a building be postponed, until the next meeting of the Legislature.

That the Legislature may have a distinct view of the reasons upon which the advice of Council was founded, the Secretary will lay before you the proceedings of the Council respecting the same.

A suitable plan and estimate have not been completed, but may be obtained in a short time, should they be deemed necessary by the Legislature.

The Secretary will likewise lay before you copies of resolutions, passed by the Legislature of the state of Georgia, relative to proposed amendments to the Constitution of the United States, together with a letter from the Governor of that State, requesting the same to be laid before the Legislature of this state.

J. BROOKS.

Council Chamber, June 5, 1818.

CHAP. CLXI.

Governor's Message. June 6th, 1818.

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

This morning I received a letter from the Honorable John Quincy Adams, Secretary of State, stating that his Britannic Majesty's government had given orders for the delivery, to the United States, of Moose, Dudley and Frederick Islands; and that Brigadier General James Miller had been, by order of the President of the United States,

authorized to receive possession of the same in their name; suggesting at the same time, that it would be satisfactory to the President, should an officer of this state be appointed to attend at the surrender of the territory. A copy of the letter of the Secretary of State will herewith be laid before you.

J. BROOKS.

Council Chamber, June 6, 1818.

CHAP. CLXII.

Resolve granting Twelve Thousand Dollars for the use of the State Prison. June 6th, 1818.

Resolved, That there be allowed and paid out of the public treasury, for the use of the State Prison, the sum of twelve thousand dollars, to be drawn from the treasury by the Warden of said prison, in such sums as the Directors shall from time to time direct; and his Excellency the Governor, with the advice of Council, is hereby requested to draw his warrant on the Treasurer for the said sum accordingly.

CHAP. CLXIII.

Resolve empowering the Assessors of Salisbury to sell certain Public Lots. June 8th, 1818.

On the petition of the inhabitants of the east parish in Salisbury,

Resolved, For the reasons set forth in the said petition, that the Assessors of the east parish in Salisbury be, and they are hereby empowered to sell and convey by deed, in fee simple, the lots of land known by the name of the Grape Hill Pasture, and Cow Commons Lots, as described in said petition, situate in the town of Salisbury; and appropriate the proceeds of sale in erecting a new parsonage house, on the lot near where the parsonage now stands.

CHAP. CLXIV.

Resolve on the petition of the Overseers of the Poor of the town of Beverly. June 8th, 1818.

Resolved, That there be paid out of the treasury of this Commonwealth, to the Overseers of the Poor of the town of Beverly, one hundred dollars in full for a pension, which Israel Morgan, of said Beverly, an insane person, is entitled to receive from this Commonwealth, for two years, ending the nineteenth day of June, in the year of our Lord one thousand eight hundred and eighteen, to be by them applied towards the support of said Morgan.

CHAP. CLXV.

Resolve making the Doings of the town of Standish valid. June 8th, 1818.

On the petition of the inhabitants of the town of Standish, in the county of Cumberland, stating that the doings of said town have, in some respects, been illegal, through inattention, accidents and mistakes, and praying that their several town meetings, and the doings therein, prior to the date of said petition, may be rendered valid ;

Resolved, That the several town meetings held in said town of Standish, as aforesaid, be, and they are hereby rendered good and valid ; and the proceedings had at the several meetings aforesaid be, and they are hereby fully ratified and confirmed : *Provided however*, that this shall not affect any case now pending before any Judicial Court.

CHAP. LXVI.

Resolve on the petition of William Jernegan.
June 9th, 1818.

On the petition of William Jernegan, in his capacity of Treasurer of Dukes' County, praying the allowance of twenty-six dollars and thirty-five cents, paid by him to a Coroner of said county for an inquest;

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the treasury of this Commonwealth, to the said William Jernegan, Treasurer of Dukes' County, the sum of twenty-six dollars and thirty-five cents, being the sum paid by him as aforesaid; and that his Excellency the Governor, with the advice of Council, be authorized and requested to draw his warrant on the treasury for the same.

CHAP. CLXVII.

Resolve authorizing John C. Williams, Administrator on B. Sheldon's estate, to pay certain monies in his hands, to the Overseers of the Poor of the town of Deerfield.
June 9th, 1818.

On the memorial of Ebenezer H. Williams and Asa Stebbins, Overseers of the Poor in the town of Deerfield, in the county of Franklin, praying that John C. Williams, Administrator on the estate of Benedict Sheldon, may be authorized to pay over the residuum of the estate of the said Benedict, in the hands of the said Administrator, which would otherwise escheat to the treasury of this Commonwealth, to the Overseers of the poor of that town, that they may dispose of the same for the support of Esther Gardner and her infant children;

Resolved, That the said Williams, the Administrator, be, and he hereby is authorized and required to pay over to the Treasurer of the said town of Deerfield, the whole of the residuum of the estate of the said Benedict, to aid them in

the support of the said Esther Gardner, the mother of the said Benedict and her infant children : *Provided however*, that should the whole of the sum, which they may receive, not be required for such support, the Treasurer of said town shall be holden to pay the residue into the treasury of this Commonwealth.

CHAP. CLXVIII.

Resolve on the petition of Howel Roberts, granting Forty Dollars. June 9th, 1818.

On the petition of Howel Roberts, praying that he may receive from the Commonwealth, the sum of forty dollars, paid by him, into the treasury thereof, on a recognizance which he had entered into for the appearance at court of Vine Haynes, whom he afterwards procured and delivered up for trial ;

Resolved, For reasons set forth in said petition. that there be paid out of the treasury of this Commonwealth, to the said Howell Roberts, the sum of forty dollars.

CHAP. CLXIX.

Resolve respecting the Troy Indians. June 9th, 1818.

Upon the petition and representation of Jonathan Prownell and others, in behalf of, and concerning Daniel Ward and others, Indians, resident in the town of Troy, in the county of Bristol ;

Resolved, That Captain Sheffel Weaver, of Troy, in the county of Bristol, gentleman, be, and he hereby is appointed Guardian to all the Indians, male and female, living in said town of Troy, or owning lands in said town ; with power to take care of, and provide for said Indians, and to improve all the land they own in said town of Troy, for their

use: And the said Weaver, their said Guardian, shall have and possess like power over said Indians, and their real and personal estate, and like powers over their persons and effects, as Guardians to minors by law now have over the persons, effects, and estates of their said wards, by virtue of an appointment of guardianship, by any Judge of Probate in this Commonwealth; and said Guardian shall give bond, with sufficient surety, in the sum of two thousand dollars, to the Judge of Probate, within and for the county of Bristol, before said Guardian enters upon the execution of his said office, conditioned faithfully to execute the duties of said appointment, and to account annually to said Judge of Probate, for the proceeds of all the property of said Indians, together with all proceeds of labor of the said Indians, which said Guardian may have received; and said Guardian shall also be under oath, faithfully to execute the said duties of his said appointment.

CHAP. CLXX.

Resolve on the petition of Jonathan M. Bissell.
June 9th, 1818.

On the petition of Jonathan M. Bissell, of Greenfield, praying that Thomas Horsley and Joel Lyons, Guardians of John S. Horsley, Lyman B. Horsley, and Proctor P. Horsley, minor children and heirs of Josiah Horsley, late of Gill, deceased, may be authorized to convey to him and his heirs, certain lands, hereafter described, on the conditions hereafter named;

Resolved, For reasons set forth in said petition, that the said Thomas Horsley and Joel Lyons, in their said capacity be, and they hereby are authorized to convey to the said Jonathan M. Bissell, by a good and sufficient deed for that purpose, all the right of said minors in the following tracts of land, lying in Greenfield, in the county of Franklin, bounded and described as follows; that is to say: the one beginning at a stake and stones, at the southwest corner of the same, on the county road leading to Gill, about sixty rods west of mills lately owned by Abiel Ste-

vens; thence running northerly to a stake and stones, on the top of Fall River Hill so called, where the county road formerly ran; thence easterly, to the south line of land owned by the heirs of Joseph Stebbins. to the county road aforesaid; thence on said road to the place of beginning; containing two acres and one quarter, more or less, with the buildings thereon: The other tract contains three acres, more or less, and is bounded as follows; that is to say: beginning at a white oak tree. at the corner of the road leading to the mouth of Fall River; thence south, eighteen degrees east, eighteen rods and sixteen links, to a stake and stones; thence south, five degrees east, twenty rods and sixteen links, to a stake on the bank of Fall River; thence south, twenty-four degrees west, two rods and ten links, to the mouth of Fall River Brook; thence north, twenty-five degrees west, fifteen rods and four links, to a yellow birch tree; thence sixty-seven degrees west, three rods, to a stake and stones; thence north, eighteen degrees west, twenty rods, to a stake and stones, on the county road; thence to the first mentioned bound; on condition, the said Jonathan M. Bissell pay to the said Thomas Horsley and Joel Lyons, Guardians as aforesaid, for the use and benefit of said minors, three fourth parts of the sum of eighty-one dollars and twenty-seven cents, with the interest thereof, from the twenty-ninth day of September, in the year of our Lord eighteen hundred and three; unless the same may have been already paid.

CHAP. CLXXI.

Resolve empowering Abigail Sprague and others, to convey Real Estate. June 9th, 1818.

On the petition of Elijah Low and Joseph Sewall, junior, Assessors of the First Baptist Society in Bath, together with Abigail Sprague, Administratrix on the estate of Oakman Sprague, late of Bath, in the county of Lincoln, deceased. setting forth, that the said Oakman Sprague, in his life-time, together with David Stinson and Thomas Lemont, both of said Bath, gentlemen, received a conveyance

of a certain lot of land in said Bath, in trust for certain persons, who have since erected a meeting house thereon; but that the deed, by which said conveyance was made, doth not express said trust: And whereas the persons aforesaid, have since been incorporated into a society, by the name of the First Baptist Society in the town of Bath; and said Abigail is desirous of conveying the interest, which was vested in her late husband, by the deed aforesaid, to said First Baptist Society in the town of Bath, agreeably to the true intent and meaning of the trust reposed in him, the said Oakman Sprague; Therefore,

Resolved, That the said Abigail Sprague, in her said capacity be, and she is hereby fully authorized and empowered to make and execute, with the said David Stinson and said Thomas Lemont, a sufficient deed of the aforementioned premises, to the said First Baptist Society in the town of Bath: *Provided however*, that the said society first pay to said Abigail, all monies advanced to them by said Oakman Sprague, for the purpose of erecting said meeting house, over and above what he may have given for that purpose; and indemnify said Abigail and the heirs of said Oakman Sprague, against all debts that he the said Oakman, became obligated to pay for said society, over and above the cost of the shares, which he the said Oakman, subscribed for, in the meeting house erected upon said land.

CHAP. CLXXII.

Resolve on the petition of John Gilmore. June 9th, 1818.

On the petition of John Gilmore, praying that the Committee empowered to view the waters, dams, &c. in the towns of Bridgewater and Halifax, relative to the fishery on Taunton Great River, may be extended to examine all and singular the facts and circumstances relating to the fishery at those places, at the expense of said towns, or of said petitioner;

Resolved, For reasons set forth in the petition of John Gilmore, that the Committee appointed to view the waters and dams in the towns of Bridgewater and Halifax, be, and

they are hereby empowered to view all and singular the facts and circumstances relative to the fishery on Taunton Great River, at the expense of said John Gilmore, the petitioner.

CHAP. CLXXIII.

Resolve on the petition of the Congregational Society in Saugus. June 10th, 1818.

On the petition of the Congregational Parish in Saugus, late the Second Parish in Lynn, in the county of Essex, praying for a confirmation of their records and proceedings, notwithstanding certain irregularities and neglects respecting them;

Resolved, For reasons set forth in said petition, that the records and proceedings of the said parish be, and the same are hereby confirmed and made valid in law, to all intents and purposes; the meetings of said parish having been called by notifications, posted up by the Committee, and seals to warrants having in some cases been omitted, notwithstanding.

CHAP. CLXXIV.

Resolve on the petition of Augustus Shevrill. June 10th, 1818.

On the petition of Augustus Shevrill, of Stockbridge, in the county of Berkshire, Esquire, praying an allowance for repairs made by him on certain real estate of the Commonwealth, within the said town of Stockbridge;

Resolved, That the sum of two hundred and twenty dollars and fifty cents be allowed the said petitioner, in full for said repairs; and that said sum be applied by the Treasurer of said Commonwealth, in part satisfaction and dis-

charge of an execution in favor of said Commonwealth against said petitioner, for rent due from him on account of said estate.

CHAP. CLXXV.

Resolve granting a Tax to the counties of Plymouth and Dukes' Counties. June 10th, 1818.

WHEREAS the Treasurers of the following counties have laid their accounts before the Legislature for examination, which accounts have been examined and allowed; and whereas the Clerks of the Courts of Sessions for said counties, have exhibited estimates made by said courts, of the necessary charges which may arise within the said counties, for the year ensuing, and of the sums necessary to discharge the debts of the said counties;

Resolved, That the sums annexed to the several counties contained in the following schedule be, and the same are hereby granted as a tax, for each county respectively; to be apportioned, assessed, paid, collected and applied, for the purposes aforesaid, according to law, viz.

County of Plymouth, four thousand one hundred and forty dollars,	$4,140 00
County of Dukes' County, seven hundred dollars,	700 00

CHAP. CLXXVI.

Resolve authorizing the Treasurer to borrow Money. June 10th, 1818.

Resolved, That the Treasurer of this Commonwealth be, and he is hereby authorized and directed to borrow of any of the banks in Boston, any sum not exceeding fifty thousand dollars, that may at any time, within the present year, be necessary for the payment of the ordinary demands made

on the treasury; and that he pay any sum he may borrow, as soon as money sufficient for the purpose, and not otherwise appropriated, shall be received into the treasury.

CHAP. CLXXVII.

Resolve on the petition of Ibrook Eddy. June 10th, 1818.

On the petition of Ibrook Eddy, Administrator on the estate of Jonathan Eddy, setting forth, that the Agent for Eastern Lands, in the year of our Lord one thousand eight hundred and fifteen, made, by mistake, a deed of lot numbered one, in Eddington, to the heirs of Robert Mann; and that the said Ibrook has, on that account, been put to great expense; Therefore,

Resolved, That there be paid out of the treasury of this Commonwealth, to said Ibrook Eddy, sixty dollars, in full for his expenses in the premises; and that his Excellency the Governor, by advice of Council. be, and he is hereby authorized and requested to draw his warrant on the Treasurer of said Commonwealth, in favor of said Eddy, for the same.

CHAP. CLXXVIII.

Resolve on the petition of Lathrop Lewis. June 10th, 1818.

WHEREAS by two resolves, passed the thirteenth day of June, in the year of our Lord one thousand eight hundred and seventeen, "the Commissioners of the Land Office were directed to lay out, settle, and sell six townships of land, on the St. John's Road, so called, leading from Penobscot River to the easterly line of Maine: Also two townships on the road leading from the north line of Bingham's Kennebec Purchase to the Canada line;" and moreover, "to survey and sell any part of the Common-

wealth's lands within the nine townships, on Penobscot River, to actual settlers; *provided*, that not more than five hundred acres in a township, be sold to any one person or association:" And whereas, by the representation of Lathrop Lewis, Esquire, one of said Commissioners and Surveyor General, it is manifest, that some further pecuniary provisions of the General Court are necessary to enable the said Commissioners to meet the requirements of said resolves; Therefore,

Resolved, That there be paid out of the treasury of this Commonwealth, six hundred dollars, to defray the expense of surveying, into hundred acre lots, township numbered one, and numbered four, on the St. John's Road; and also a further sum of six hundred dollars, to defray the expense of surveying, into one hundred acre lots, townships numbered four in the first range of townships, and numbered four in the second range of townships, on the said road, "from the Bingham Kennebec Purchase to Canada line;" and that a further sum of six hundred dollars be, and hereby is appropriated to be paid out of the public treasury, for the purpose of quieting all the actual settlers already on the Commonwealth's lands, within said nine townships, which said Commissioners, for a proper consideration paid, or secured to be paid, are hereby authorized to do, by surveying and conveying by deed to each settler, such lots as best to include his improvements, regard being had to a general plan and survey of a township; and for the further purpose of surveying within the said nine townships, so many, and such lots, as the Commissioners may judge to be most for the interest of the Commonwealth;

Resolved, That his Excellency the Governor, by and with the advice of the Council, be, and he is hereby authorized and requested to draw his warrant on the Treasurer of this Commonwealth, in favor of said Commissioners, from time to time, for such sums, not exceeding the amount of the three sums aforementioned, as the said Commissioners may request; and said Commissioners are directed to make a particular report of their doings in the premises to the General Court, at its next session.

CHAP. CLXXIX.

Resolve on the petition of Willard Newton.
June 11th, 1818.

On the petition of Willard Newton, of Southborough, in the county of Worcester, Esquire, Executor of the last will and testament of Micah Sherman, late of Marlborough, in the county of Middlesex, Esquire, deceased, who was duly authorized by the Supreme Judicial Court of this Commonwealth, to sell and convey real estate of said deceased, for the payment of debts, &c. And whereas said Newton, Executor, having complied with the rules of law in all respects, excepting filing a bond in the Probate Office, in the county of Middlesex, previous to his making the aforesaid sales, as is required by law; Therefore,

Resolved, For reasons set forth in said petition, that the said Newton be, and he hereby is authorized and empowered to file such bond as he was required to do by law, in the aforesaid Probate Office, within sixty days from the date of this resolve; and the same, when so made and filed as aforesaid, shall have the same force and effect in law, in making good and valid those deeds which the said Newton made and passed, in his capacity as Executor, unto Daniel Stevens, Moses Sherman, Winslow Barnes, John Boyd, John Adams, and Nathan Patch, as though the bond had been filed in said office previous to the aforesaid sales, as by law required.

CHAP. CLXXX.

Resolve on the petition of Phineas Kellam, and others.
June 11th, 1818.

On the petition of Susan Cargill, and others,

Resolved, For reasons set forth in said petition, that Susan Cargill, of Wiscasset, in the county of Lincoln, Administratrix on the estate of Thomas M. Cargill, late of Wis-

casset, deceased, be, and she is hereby authorized and empowered to convey to Jane Cargill, of Boston, a certain piece of land lying in Newcastle, bounded northerly on land of said Thomas, westerly on Sheepscot River, southerly on land of Henry Cargill, and easterly on land of William Cargill, and containing about eleven acres; and also to convey to Phineas Kellam, of Belfast, merchant, another piece of land, lying in said Newcastle, and bounded as follows; northerly on marsh, owned by William Patterson, westerly on a ditch, by the upland, southerly on marsh of Henry Cargill, and easterly on Sheepscot River, and containing about five acres of valuable marsh; and to execute deeds to said Jane and Phineas, their heirs and assigns; which deeds shall, in all respects, be as good and valid, as if they had been executed by said Thomas, in his life time.

CHAP. CLXXXI.

Resolve relative to the Christiantown Indians.
June 11th, 1818.

WHEREAS, by a resolve of the General Court, passed on the sixth day of February last past, the Guardians of the Indians and their property, in that part of Dukes' County, known by the name of Christiantown, were required to lodge in the office of the Secretary of this Commonwealth, within three months from the passing of said resolve, an account of all lands sold by said Indians, with the consent of said Guardians, since the passing of the act, entitled "An act for the protection of the Indians and their property, in that part of Dukes' County, known by the name of Christiantown;" stating particularly to whom sold, the consideration paid, to whom and in what manner: And whereas the said Guardians have not complied with said requisition, Therefore,

Resolved, That his Excellency the Governor be requested to discharge the said Guardians from the said trust, and appoint new ones in their stead; and that the Attorney or

Solicitor General be required forthwith to compel said Guardians to account for all the property, real and personal, of which they are or have been possessed, in their capacity aforesaid.

CHAP. CLXXXII.

Resolve on the petition of Daniel Sewall. June 11th, 1818.

On the petition of Daniel Sewall, Clerk of the Judicial Courts, and Register of Probate, for the county of York,

Resolved, For reasons set forth in said petition, that the said Daniel Sewall be, and hereby is permitted to keep and hold his said offices at Kennebunk, where he now keeps the same, so long as he shall be continued in said offices, or either of them, under such regulations and restrictions as the court exercising the power of the Court of Sessions for said county may order and direct; any thing in the resolve passed the twenty-seventh day of February, one thousand eight hundred and fifteen, to the contrary notwithstanding.

CHAP. CLXXXIII.

Governor's Message. June 11th, 1818.

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

By a resolve of the Legislature, passed on the first day of March, one thousand eight hundred and fifteen, the Governor, with the advice of Council. was authorized and requested to appoint an Agent on behalf of the Commonwealth, for purposes mentioned in the resolve, and to draw his warrant on the Treasurer for the sum of two hundred dollars, in favor of such Agent, he to be accountable for the same.

In pursuance of said resolve, George Herbert, Esquire, of Ellsworth, was appointed Agent, and a warrant granted

him for the sum above mentioned; after which the Agent proceeded to execute his duty, as prescribed in the resolve; and having, as he presumes, completed the same, has made a report to me of his doings in the premises, and at the same time has rendered an account of his expenditures and services; giving credit to the Commonwealth for the above mentioned sum of two hundred dollars.

The report of the Agent, and the numerous documents connected with it, together with his account and sundry vouchers, will be laid before you by the Secretary.

J. BROOKS.

Council Chamber, June 11, 1818.

CHAP. CLXXXIV.

Resolve respecting Old Colony Records. June 11th, 1818.

Resolved, That James Freeman, of Boston, D. D. Samuel Davis, of Plymouth, and Benjamin R. Nichols, of Salem, Esquires, be a Committee, and that they be and are hereby authorized and empowered to copy, or cause to be copied and transcribed, the records of the late colony of Plymouth, or such parts thereof as they may deem expedient; and to procure the said copies to be well bound, and deposited in the office of the Secretary of State, in Boston, together with the abstract of the said records, already prepared; and the said Committee are further authorized and empowered to remove the said books of records, one or more volumes at a time, from Plymouth, for the purpose of their being copied; they, or any two of them giving their receipt therefor to the Register of Deeds, at Plymouth; and they are also authorized and empowered to procure the original books of records to be bound, and put into a proper state for preservation, if in their opinion it is necessary; and they are hereby directed, after the same shall be so copied and prepared, to restore the same forthwith to the office of the Registry of Deeds, in the county of Plymouth.

CHAP. CLXXXV.

Resolve for payment of Clerks, &c. June 12th, 1818.

Resolved, That there be allowed and paid out of the public treasury to the Clerk of the Senate and Clerk of the House of Representatives, each, the sum of five hundred and forty dollars; and to the Assistant Clerk of the Senate and Assistant Clerk of the House of Representatives, each, the sum of three hundred and sixty dollars, in full for their services for the present political year; one third part of the above sums to be paid at the end of the first session, and the remaining two thirds at the end of the last session of the Legislature.

CHAP. CLXXXVI.

Resolve for Compensation of Clerks, in certain offices. June 12th, 1818.

Resolved, That there be allowed and paid out of the treasury of this Commonwealth, to the first Clerk in the Secretary's Office, also to the first Clerk in the Treasurer's Office, also to the first Clerk in the Adjutant General's Office, fourteen hundred dollars each, in full compensation for their services for one year, from the first day of this current month of June; and likewise to each of the other Clerks in said Secretary's, Treasurer's, Adjutant General's Offices, and also to the Clerk in the Quarter-Master General's Office, three dollars and eighty-four cents per day, for each and every day they are respectively employed therein, for one year from the said first day of June current. Also that there be paid as aforesaid, to Joseph Foster, a Clerk in the Treasurer's Office, the sum of one hundred dollars and ninety-six cents, in full for extra services, to the thirty-first day of May last, in addition to his established salary.

CHAP. CLXXXVII.

Resolve on the petition of Josiah Bemis and George Stearns.
June 12th, 1818.

On the representation of Josiah Bemis and George Stearns. for reasons set forth in their petition,

Resolved, That there be allowed and paid out of the treasury of this Commonwealth, to Josiah Bemis and George Stearns, the sum of two hundred and eighteen dollars and sixty-two cents, in full for their claim for damage sustained by them, by reason of a fire at the State Prison, in Charlestown, and in full for blocks, tackle and stones, taken by the Warden of said prison for the use of the Commonwealth; and that his Excellency the Governor, with advice of Council, be requested to draw his warrant on the Treasurer accordingly.

CHAP. CLXXXVIII.

Resolve authorizing L. Walter to sell certain Real Estate.
June 12th, 1818.

Upon the petition of Lynde Walter, executor of the last will and testament of William Walter, late of Boston, in the county of Suffolk, merchant, deceased, praying that he or some suitable person may be authorized and empowered to make sale of certain real estate of said deceased, described in said petition, and apply the proceeds thereof to the payment of his just debts;

Resolved, That for the reasons stated in said petition, the said Lynde Walter be, and he is hereby authorized and empowered to sell, at public auction, the real estate of said deceased, described in said petition, to wit; one undivided moiety or half part of a certain piece or parcel of land, situate in Salem Street, at the northerly part of said Boston, bounded as follows, viz. north-westerly on said Salem Street, there measuring forty feet; north-easterly on land now or late of Nathaniel Baker and Samuel Clark, there measur-

ing eighty-two feet; south-easterly on land now or late of Timothy Thornton and Mr. Perrigo, there measuring forty feet; and south-westerly on land belonging to Christ's Church, there measuring eighty-two feet: And one undivided moiety of a certain other piece or parcel of land, situated in Fish Street, at the northerly part of said Boston, being the same that was conveyed to the said deceased by Eber Lawrence, by deed, dated June ninth, A. D. one thousand eight hundred and two, and recorded in the Registry of Deeds for the county of Suffolk, lib. 201, folio 126. Also, one undivided moiety of a certain piece or parcel of land, situated in Fish Street and Sun Court, at the northerly part of said Boston, being the same which was conveyed to said deceased by Thomas Walter, Nathaniel Smith, M. L. Smith, Harriet T. Walter, and A. M. Walter, by deed, dated June twenty-ninth, A. D. one thousand eight hundred and one, and recorded in the Registry of Deeds for the county of Suffolk, lib. 198, folio 46, reference to the same deeds being had will fully appear; and to make and execute to the purchaser or purchasers thereof a good and sufficient deed or deeds of conveyance for the same; which being acknowledged before a Justice of the Peace, and recorded in the Registry of Deeds for the county of Suffolk, where the land lies, shall be good and sufficient to pass to the purchaser or purchasers, his or their heirs or assigns, all the right, title and interest the deceased had in and to the same; the said Lynde Walter to post notifications thirty days before the sale, and to account for the proceeds thereof with the Judge of Probate for the county of Suffolk, to give bond, and be under oath according to the rules and directions of law for the sale of real estates by executors or administrators.

CHAP. CLXXXIX.

Resolve on petition of Lovell Barnes. June 12th, 1818.

On the petition of Lovell Barnes, of Marlborough, in the county of Middlesex, Esquire, stating that he is Guardian of Artemas Bigelow, Levi Bigelow, Adeline Bigelow, Lu-

ther Bigelow, William Bigelow, and Jotham Bigelow, children and heirs at law of William Bigelow, late of said Marlborough, gentleman, deceased, intestate; that he was duly empowered by the Supreme Judicial Court of said Commonwealth, for the benefit of said minors, to sell and pass deeds to convey six undivided tenth parts of three several parcels of land in Marlborough, one belonging to each of them, all which they held in common, and to observe the directions of the law for such case provided in all respects in said sale; that the said Barnes complied with all the provisions of the law, except that, being ignorant that the law required him to post a notification of the sale, in the shire town of the county, he neglected so to do: That pursuant to the authority of said court, the said Barnes sold at public vendue and conveyed by deed, six undivided tenth parts of said land, in several lots, to the following purchasers, they being the highest bidders; viz. Sylvanus How, Amos Sawyer, Christopher B. Bigelow, Benjamin How, Moses Barnes, and Winslow How; and praying that the deeds of conveyance, by him executed, to said purchasers, may, by resolve of this General Court, be rendered as good and effectual in law, to convey the rights and interests of said minors, in said land, as if the provisions of the law had been in all respects complied with;

Resolved, For reasons set forth in said petition, that the deeds therein mentioned, shall be as good and effectual in law, to all intents, to pass and convey all the right and interest which the said minors had in said land, to the said purchasers, as if the requisitions of the law had been complied with, by posting notifications of the sale, in the shire town of the county.

CHAP. CXC.

Resolve appointing a Committee to examine the Treasurer's Accounts. June 12th, 1818.

Resolved, That the Honorable Messrs. Bemis and Ritchie of the Senate, and Messrs. Greenleaf, Codman, and Rantoul be, and they hereby are appointed Commissioners to exam-

ine, liquidate, adjust, and settle, the accounts of Daniel Sargent, Esquire, Treasurer and Receiver General of this Commonwealth, from the seventh day of June, one thousand eight hundred and seventeen, the time of his entering on the duties of his office, to the thirteenth day of June instant, inclusively; and the said Commissioners are directed and empowered to deface all notes and due bills, orders, or other obligations, issued under the authority of this Commonwealth, by any officer thereof, which have been redeemed by the Treasurer, or his predecessors; and to report their proceedings at the next session of the General Court.

CHAP. CXCI.

Resolve respecting Elliot School Funds. June 12th, 1818.

WHEREAS the Trustees of Elliot School, in Roxbury, hold, in their said capacity, two certain pieces of salt marsh, in said Roxbury, which, from the contemplated works of the Boston and Roxbury Mill Corporation, will become of little or no value to said school, unless said Trustees are authorized and empowered to dispose of the same: And whereas the said corporation have agreed to purchase said pieces of marsh, at the price of one thousand dollars, and said Trustees have petitioned for a resolve, to authorize and empower them to sell and convey the same to the said corporation, for the consideration aforesaid; Therefore,

Resolved, That the Trustees of Elliot School be, and they are hereby fully authorized and empowered to sell and convey unto the Boston and Roxbury Mill Corporation, in fee, for the sum of one thousand dollars, the two certain pieces or parcels of salt marsh, situated in said Roxbury, and severally bounded and containing as follows, to wit; one piece containing two acres, two quarters and one rod, and bounded northwardly on land late of Solomon May, deceased; eastwardly, partly on land of said May, and partly on land belonging to the heirs of Ralph Smith, deceased; southwardly on a creek; and westwardly on land of Captain Joseph Williams. The

other piece containing one acre, one quarter and twenty rods, and bounded southwardly and westwardly by Cambridge Bay, or Tide Mill Creek, so called; northwardly and eastwardly on land of Captain Joseph Williams; *provided* said sum of one thousand dollars, shall be invested, according to the discretion of said Trustees, in other real estate, or loaned on interest, with mortgage of real estate, as collateral security; and the income thereof be appropriated, in future, to the support of said Elliot School.

Be it further resolved, That a deed from said Trustees to said corporation, containing the necessary, legal and proper words of conveyance, to pass an estate in fee simple, executed in the manner prescribed in the tenth section of the act incorporating the Trustees of Elliot School, passed the ninth day of March, in the year of our Lord one thousand eight hundred and four, shall, to all intents and purposes, be good and valid in law, to pass the estate of the Trustees of Elliot School, in the land in the preceding section mentioned and described, unto the Boston and Roxbury Mill Corporation.

CHAP. CXCII.

Resolve providing for Repairing the State House.
June 12th, 1818.

Resolved, That the Governor, with the advice of the Council, be, and hereby is authorized and empowered, from time to time, to make such repairs to the State House as shall be found necessary, and to draw a warrant upon the Treasurer of the Commonwealth, for a sum not exceeding three thousand dollars, to defray the expenses of such repairs.

CHAP. CXCIII.

Resolve granting Compensation to George Herbert.
June 12th, 1818.

Resolved, That there be allowed and paid out of the treasury, to George Herbert, Esquire, Agent in behalf of the Commonwealth, on the subject of the lands mortgaged by the late Leonard Jarvis, Esquire, under an appointment pursuant to a resolve of first March, one thousand eight hundred and fifteen, the sum of four hundred and fifty dollars on account of his disbursements and services in the duties of said agency, for which he shall be accountable in the final settlement of his accounts.

CHAP. CXCIV.

Resolve making allowance to Jacob Kuhn, for the purchase of Fuel, &c. June 12th, 1818.

Resolved, That there be paid out of the treasury of this Commonwealth, to Jacob Kuhn, Messenger of the General Court, the sum of one thousand dollars, to enable him to purchase fuel, and such other articles as may be necessary for the use of the General Court, together with the Governor and Council Chamber, the Secretary's, Treasurer's, Adjutant General's and Quarter-Master General's offices, and also the Land Office ; he to be accountable for the expenditure of the same.

CHAP. CXCV.

Resolve in favor of Ward Lock and W. Chase.
June 12th, 1818.

Resolved, That there be allowed and paid from the treasury of this Commonwealth, unto Ward Lock, Assistant to the Messenger of the Governor and Council, two

dollars and fifty cents for each day he has been, or may be employed in that capacity, during the present session of the Council: And also that there be allowed and paid to Warren Chase, Assistant to the Messenger of the General Court, forty-seven dollars, in full for his services to the present time.

CHAP. CXCVI.

Resolve for an Allowance to the Committee on Accounts. June 12th, 1818.

Resolved, That there be allowed and paid to the Committee on Accounts, one dollar per day over and above their pay as members, for the present session, to wit; Honorable Oliver Crosby, seventeen days, seventeen dollars; Honorable James Howland, 2d, ten days, ten dollars; Alford Richardson, Esquire, seventeen days, seventeen dollars; Samuel Porter, Esquire, seventeen days, seventeen dollars; John Howe, Esquire, fifteen days, fifteen dollars.

CHAP. CXCVII.

Resolve in favor of Thomas Walcutt. June 12th, 1818.

Resolved, That there be allowed and paid to Thomas Walcutt, a Clerk in the lobbies, for the assistance of the members of the Legislature, seventy-five dollars, in full for his services during the present session of the General Court.

CHAP. CXCVIII.

Resolve to pay the Messenger to the General Court.
June 12th, 1818.

Resolved, That in lieu of the compensation now allowed, there be allowed and paid out of the public treasury, to Jacob Kuhn, in full for his services as Messenger to the General Court, and for his care of the State House, and all other services rendered by him, (except those for which compensation is made by a resolve, passed October nineteenth, one thousand eight hundred and fourteen,) for the year commencing thirtieth day of May last, one thousand dollars, payable quarter yearly; and his Excellency the Governor, with advice of Council, is requested to draw his warrant accordingly.

CHAP. CXCIX.

Resolve making Compensation to Joseph H. Pierce.
June 12th, 1818.

Resolved, That in full for compensation and expenses for preparing and arranging papers and documents, for the transportation of the same, for clerk hire, printing reports, and sundry incidental expenses, and proceeding to Washington, and attending to the claim of the Commonwealth against the United States; there be allowed and paid to Joseph H. Pierce, Esquire, the sum of one thousand and seventy-five dollars and four cents; and that his Excellency the Governor be, and he is hereby authorized to draw his warrant accordingly.

CHAP. CC.

Resolve on the several petitions of Jonathan Nelson, James Mitchell, Elisha Douglas, James Daniels, and Melinda Taylor. June 12th, 1818.

Resolved, For the reasons set forth in his petition, and the evidence offered in support of the same, that there be granted and paid out of the treasury of this Commonwealth, to Ensign Jonathan Nelson, of Palermo, in the county of Lincoln, the sum of one hundred dollars, in full compensation for the expenses and loss of time to which he was subjected by reason of the wounds he received on the first Tuesday of May, A. D. one thousand eight hundred and sixteen, while doing duty in the north company of militia of said town.

Be it further resolved, For the reasons set forth in his petition, and the evidence offered in support of the same, that there be granted and paid out of the treasury of this Commonwealth, to James Mitchell, of Arundel, in the county of York, the sum of twenty dollars, in full compensation for the loss of time he suffered from a wound he received while doing duty in the militia, at a regimental muster, twenty-sixth September, A. D. one thousand eight hundred and sixteen.

Be it further resolved, For the reasons set forth in his petition, and the evidence offered in support of the same, that there be granted and paid out of the treasury of this Commonwealth, to Elisha Douglas, of Lee Plantation, in the county of Hancock, the sum of forty dollars a year, for four years, if said Douglas shall live so long, to commence on the first day of September next, on account of wounds he received in a skirmish with the British troops, at Hampden, in September, A. D. one thousand eight hundred and fourteen.

Be it further resolved, For the reasons set forth in his petition, and the evidence offered in support of the same, that there be granted and paid out of the treasury of this Commonwealth, to James Daniels, of Medway, in the county of Norfolk, during his life, the sum of one hundred dollars a year, commencing on the third day of October, which was in the year of our Lord one thousand eight hundred and sixteen, the time when said Daniels, while doing duty in

the militia, at a brigade inspection and review, received a severe wound in the head, by which his sight was utterly destroyed.

And be it further resolved, For reasons set forth in her petition, and the evidence offered in support of the same, that there be granted and paid out of the treasury of this Commonwealth, to Melinda Taylor, of Granville, in the county of Hampden, the sum of sixty dollars; her late husband, George Taylor, junior, while a soldier in the detached militia, and doing duty in Colonel Enos Foote's regiment, stationed at Commercial Point, in the fall of one thousand eight hundred fourteen, having been taken sick, and died, at Worcester, on his return home; and that his Excellency the Governor be, and hereby is requested to draw his warrants on the treasurer for the payment of all the aforesaid sums to the persons to whom they are hereby granted, at such times as may be necessary.

CHAP. CCI.

Resolve respecting the Claim of the Commonwealth against the United States. June 12th, 1818.

THE Committee to whom was referred the communication from his Excellency the Governor, relative to the claim of the State of Massachusetts, against the United States for the services of the militia of the state, and for expenditures during the late war, respectfully report:

That in pursuance of a resolve of the Legislature, passed June, eighteen hundred and seventeen, instructing the Senators, and requesting the Representatives of the State in Congress, to present to the Government of the United States, the claim aforesaid, for the purpose of procuring an adjustment thereof, and of all accounts connected therewith, and for the payment of the balance due thereon; the said Senators and Representatives in attending to the duty confided to them, at the late session of Congress, presented the subject to the consideration of the National Legislature; which received and sustained the same, so far, as in the House of Representatives to appoint a very respectable committee to

consider and report thereon; and that an able and lucid report, which the committee now ask leave to subjoin, was made thereon in the words following, to wit:

"The committee to whom was referred the resolution relating to the claims of Massachusetts. for expenditures of their militia, for services during the late war, respectfully report:

"That the claims of the State of Massachusetts are for the reimbursement of expenditures made by her, for the militia employed in the defence of the country, during the late war, and for incidental expenses. A portion of her claims for monies advanced for these purposes, has been admitted and paid by the Department of War. But the accounts and vouchers for the residue, are excluded from an examination by that department, under a construction of the laws relative to the subject, adopted by the Executive Government. At the commencement of the late war, the United States were divided into military districts; to the command of which, an officer was assigned. And by the principles established for the admission and settlement of claims for the services of militia, the allowance of such as have not arisen for detachments made upon the requisitions of this officer, and actually received by him, and put under his command, is conceived by the Executive to "lie beyond its authority." "And any claim" (in the language of the late Secretary of War) "which a state may have to reimbursement," (for other services of its militia) "must be judged of by the competent authority, on a full view of all the circumstances of the case." The claims in question, upon a statement of their general outlines, made by the Agents of Massachusetts to the Department of War, are not considered as warranted by a literal conformity to the above mentioned principles, inasmuch as it does not appear that the portion of militia, whose services and expenses are the foundation of the demand, were formally received by the commander of the military district, or placed under his actual command. The claimants insist, that the causes which prevented the most literal compliance with the executive arrangements, in every instance, are susceptible of a clear and satifactory explanation; and that there was, in fact, a substantial conformity to the orders and views of the General Government, on all occasions; and a zealous co-operation with its officers in the measures of defence;

the troops of the state having been, in some instances, yielded to the command of the United States' officers; and in all, placed in a state of readiness to be transferred to their command in season for any emergency.

"Congress, then, is the only authority competent to 'judge, upon a full view of all the circumstances,' of the merits of the claim, or to authorize some department or judiciary to take cognizance of it, for the purpose of examination and decision: And it thus becomes necessary to exhibit a general view of such principal facts as may contribute to aid the investigation.

"The services, for which reimbursement is claimed, commenced, with inconsiderable exceptions, in July, one thousand eight hundred and fourteen, and terminated in the autumn of that year; and transactions prior, have no apparent relation to the subject of this claim. Those prior circumstances have reference to a law of the United States passed in April, one thousand eight hundred and twelve, and to the orders from the Executive, founded on that law, which having expired in April, one thousand eight hundred and fourteen, all orders issued on that basis, which were unexecuted, of course became obsolete. And from April, one thousand eight hundred and fourteen, to July following, there appeared to have been in existence no orders or requisitions of the Executive Government of the United States affecting the Militia of Massachusetts.

"A brief narration, however, of facts antecedent to that period, accompanied by documents in support of its accuracy, may conduce to a more ready and perfect understanding of the subject.

"It appears, that so early as June, one thousand eight hundred and twelve, prior to the declaration of war, the Secretary of War, by order of the President, called upon the executive of Massachusetts to detach, on the requisition of Major General Dearborn, such part of the militia, as he might think necessary for the defence of the sea coast; in consequence of which, that officer required a detachment of forty-one companies.

"An opinion being at this time entertained by the Governor of Massachusetts, that no danger of invasion existed; and that under such circumstances, the militia ought not to be placed at the disposal of an officer of the United States, having himself few or no troops under his command, with

the advice of his council, required the opinion of the Judges of the Supreme Court on those two questions. Their opinion confirmed his construction of the constitution, and his reasons for declining a compliance with the requisitions were signified to the Secretary of War by letter, August fifth, one thousand eight hundred and twelve.

"Events proved, that no danger of invasion existed at that period, and no detrimental consequence resulted from this collision of opinion, between the Executive of the United States, and of Massachusetts.

"The detachment required (though no doubt, providently intended.) would have caused great inconvenience to the militia, and needless expense to the United States; and have impaired, instead of strengthening the measures of defending the sea coast, as parts of the force must have been withdrawn from some districts to protect others, while the whole was exposed, and the forces of the state were in universal readiness to defend their homes, and to march upon the shortest notice.

"It is alleged by the claimants, that the opinions of the Executive, and of the highest tribunal of the state, formed upon great deliberation, and on a solemn occasion, must at least be considered as proceeding from an honest conviction, in whatever estimation their correctness may be held. And in confirmation of this position, reliance is placed upon the fact, that immediately upon the foregoing requisition, orders were issued by the Executive of Massachusetts, 'for placing the militia in the most effective possible state,' and apprising them, 'that in case of invasion, or imminent danger thereof, they were to march without delay, and when in the service of the United States, to be placed under the orders of the President thereof.'

"This order was sent the same day it was issued, to Major General Dearborn; and shortly after this, a body of militia, consisting of three companies, was placed in the service of the United States, at Eastport, on the frontier, under the orders of General Boyd.

"These suggestions and facts might be entitled to a fair and deliberate consideration, if the doctrines maintained by the state authorities had continued to influence its proceedings, at the period to which the present claim relates; at which time, in the view taken of the subject by the committee, circumstances had so changed, that those opinions, though

never formally renounced, do not appear to have furnished the rule of conduct of the government of Massachusetts. If this view should be sanctioned as correct, it will follow, as already intimated, that all these preceding constitutional doubts and expositions, and the measures and motives connected with them, may be excluded from this inquiry. On the fourth of July, one thousand eight hundred and fourteen, (the law of April, one thousand eight hundred and twelve, and all orders emanating from it in Massachusetts, having become functi officio) a general requisition was issued by the Secretary of War to the State Executives (under the laws of February, one thousand seven hundred and ninety-five, and eighteenth of April, one thousand eight hundred and fourteen) to hold in readiness ninety-five thousand men; and on the eighth of the same month, a requisition was made by General Dearborn upon the Executive of Massachusetts, for a detachment of one thousand one hundred men. This requisition was immediately complied with; the men were placed under his actual command, and the claims for their services have not been disputed.

"This is considered by the claimants, (and, as the committee conceive, with justice) as constituting a new epoch in the relations between the government and state, to which all the posterior measures ought to be referred.

"On the fifth of September, one thousand eight hundred and fourteen, another requisition was made by Major General Dearborn, for four thousand six hundred and fifty men, exclusive of officers. Of these it was his object to station two thousand two hundred for the defence of Boston, one thousand one hundred for Portland, one thousand one hundred for Kennebec, and two hundred and fifty for York. On the sixth of that month a general order was issued by Governor Strong, comprehending preparations more extensive than General Dearborn at that time required. On the seventh of that month, the Governor writes to the Secretary of War, enclosing him the order, and reminding him that he had lately detached one thousand one hundred men, at the request of General Dearborn, but that such objections and inconveniencies had arisen from that measure, that it could not then be repeated; and that the militia, called out on this occasion, would be placed under the command of a major general of the militia. To this communication, the

letter from the Secretary of War, of September seventeenth, one thousand eight hundred and fourteen, is an answer.

"These facts present to view, the question principally affecting the claim. Were the objections and inconveniencies alluded to by the government of Massachusetts in the last mentioned letter, real, or pretended? Did they arise from a disposition to enforce the opinions avowed two years before, or from causes altogether independent of these opinions, and for which that government was not responsible?

"If these difficulties were altogether imaginary, and the fruit of a determination to contravene the authority of the United States over the militia, it would seem to be just that the state should defray its own expenses. But if the constitutional objections, formerly relied upon, were at the time, not only waved, but a sincere desire for co-operation with the government of the United States in the defence of the state, was manifested by the adoption of the most effectual measures; and if the deviations from the established arrangements of the national government were both merely formal and justifiable, under the pressure of the emergency, the claim would be relieved from all objections, which oppose the reference of it to the proper department for settlement, upon equitable principles.

"Various considerations and facts, connected with the transactions of this period, will be found conducive to a just decision on this question. And in the first place, there seems to be no sufficient reason to infer, that the executive government of Massachusetts, having by its compliance with the requisition of July, for eleven hundred men, waved the objections formerly urged against placing the force under the command of the United States' officers, after more than two years had been afforded for deliberation, should afterward, in the short space of sixty days, revert to those objections. Again, on the seventeenth and eighteenth of September, one thousand eight hundred and fourteen, and after Governor Strong had written the foregoing letter to the Secretary of War, of the seventh of that month, another requisition for one thousand one hundred and sixty-two men, was made by Major General Dearborn, and complied with by the Governor, and the men placed at his disposal. Besides these, the corps of two hundred and fifty men, required by Major General Dearborn for the defence

of York, and in aid of Commodore Hull, were detached under his orders.

"Further, as a considerable portion of the force required was intended for the defence of the District of Maine, an officer was deputed by the Governor, with instructions to make arrangements for placing the troops required, under the officers of the United States, if the same could be done, without exciting discontent and collisions among them, which would have been fatal to the service. For this purpose, this officer made the most faithful exertions to reconcile the militia to this measure; and had so far succeeded, as to have organized a corps of eleven hundred men to be placed under the command of General Chandler, the officer commanding in that quarter, next in rank to General Dearborn; and would probably have completed a similar arrangement for the whole; but while proceeding towards the accomplishment of this object, that officer was ordered upon another service, and thereupon symptoms of discontent and jealousy were manifested by the officers and men; so entirely and violently adverse to the transfer of command, from their own officers to those of the United States, of subordinate grades, having few or no United States' troops under them, that it was judged inexpedient and dangerous to expose the service to the collisions which were menaced from these sources, at a period of great peril and alarm, while the enemy were hovering on the coast.

"It is proper also to remark, that the militia of Massachusetts had been organized, agreeably to the laws of the United States, into companies of sixty-four privates each. When called into actual service, General Dearborn conceived it to be his duty, under the orders he had received, to disregard this regulation, and organize the companies anew, by consolidating them into companies, at sometimes of ninety privates, and at other times into companies of one hundred privates; and into regiments of ten companies each, dismissing, or refusing to pay the supernumerary officers thus occasioned. Thus, too, the militia were transferred from the command of officers of their own election, as provided for by the laws of Massachusetts, to the command of those whom they had not elected.

"It may easily be conceived, that these changes, in a system established by law, had a tendency to create uneasiness among the troops, and to impair the harmony of ac-

tion and *esprit du corps* of train bands, which had been so long habituated to a different system of drill and tactics, also prescribed by the laws of the United States.

"It may be remarked further, that it appears to have been a point conceded on the part of the Executive of Massachusetts, when regular forces and militia were united, each having in command officers of equal grade, that the officer of the regular forces would be entitled to the command. But the claimants state, that when the requisition in July, one thousand eight hundred and fourteen, was complied with, the eleven hundred men, then placed in the service of the United States, were, by General Dearborn, placed in detachments of from one to two hundred each, in the different forts and garrisons along the maritime frontier of Massachusetts; and that wherever they were so stationed, an officer of the United States' army of equal grade of that of each detachment, although there were few, if any regular troops at that time in such garrison, was nevertheless assigned to it; thereby superceding the militia commandant, in the command of each detachment.

"This statement, your committee, from the circumstances of the times, and from evidence of a general nature before them, are induced to believe to have been substantially correct. And these are some of the more prominent among the reasons which operated in September following, to render it hazardous to the service, if not impossible in fact, to subject the militia to the control of the officers of the United States.

"It further appears, that arrangements for defence were made in a spirit of perfectly apparent harmony; first between the Governor and General Cushing, and afterwards between General Dearborn and the committee of military defence of the state of Massachusetts. That this officer was consulted on all important occasions, and that his plans were adopted, or the proceedings of the committee were by him approved. That his son, a Brigadier General in the Massachusetts militia, was placed in a command subject to the orders of his father, and by an understanding between him and the State Executive, which gave the latter the effective command of the harbor of Boston. That a portion of those troops not actually placed under his command, were held in readiness to be so placed, at a moment's warning, in virtue of the same arrangement, and were at the same

time stationed in the best possible position for effectual co-operation. That at the request of Commodore Bainbridge, three thousand militia were held in readiness by General Welles, for the defence of the United States' navy yard and ships; and that the Secretary of the Navy approved of the preparations for the protection of the harbor and public property, and expressed the most unequivocal approbation and satisfaction in the proofs of 'zeal and alacrity' displayed on the occasion. That the people of Boston, and the neighboring country, turned out almost in mass, to work upon the fortifications, in aid of the officers and troops of the United States; and that the whole force of the state was upon the alert, and in a state of preparation to engage in the defence of the country against invasion. The objections, which subsisted among the militia to being detached under the command of officers of the United States, do not appear to have proceeded from hostility to those officers, nor to have been confined to any political party. They arose principally from the belief, that a new organization, upon which the commanding officer insisted, would be exceedingly inconvenient, by separating officers from men, who had been habituated to mutual confidence, by discharging some of the former, as supernumeraries, and by depriving those who remained, in some instances, of their command, and their rank.

"Upon a deliberate examination of the facts and documents connected with the claim, the committee are led to conclude, that the only colorable objections to its allowance, is the omission of the Governor of Massachusetts to place the militia, in all instances, under the actual and immediate command of General Dearborn. The Governor, however, in retaining them under their own officers, does not appear to have been influenced by the constitutional objections by which his measures were actuated, at an earlier period, and under different circumstances. Inconveniences and objections did exist, for which he was not responsible, but which he manifested a disposition to obviate, by a literal compliance with the requisitions of the United States, in some instances; and by substituting the best arrangements in his power, when attempts to enforce such a compliance, would have been, in his belief, repugnant to sound discretion As, therefore, the services of the militia were called for by the United States, and faithfully performed, and the deviation

from an exact conformity to the letter of the Executive requisitions, in all cases, was attributable to causes which were incident to the novelty of the case, and against the recurrence of which, provision may be made by law, for the more perfect organization of the militia.

"They, therefore, report, as their opinion, that the accounting officer of the war department, be directed to audit and settle the claim of said state, upon such terms, and in such manner, as may embrace the merits of such claim; and they ask leave to report a bill for that purpose."

The committee also state, that the said report was not acted on, further than to be received in the House of Representatives, owing to the accumulation and priority of other business, but that there is reason to believe it will come under consideration at an early day of the ensuing session of Congress; and from the zeal and ability of the delegation, the character and description of the services and expenses rendered and incurred, and the enlightened and patriotic feelings which cannot but actuate the administrators of a government, emanating exclusively from the will of a free and intelligent people, and dependent at all times, for its usefulness and efficiency, in a great measure, on their favor and affection; they confidently trust, that a claim for services, so effectively and economically rendered, as were those of Massachusetts, will receive a prompt and liberal investigation, and a fair and equitable allowance.

The committee, therefore, from the exposition heretofore made, the perspicuous illustration now communicated, and the full and reiterated expression of the sentiments of all the branches of the State Government, renewedly and recently given in relation to the claim aforesaid, deem it necessary at this time only to recommend the adoption of the following resolve, which is respectfully submitted.

J. LLOYD, *Per Order.*

Resolved, That his Excellency the Governor, be requested to cause to be delivered to the Honorable Harrison Gray Otis and the Honorable Prentiss Mellen, Senators of the United States from Massachusetts, or either of them, such accounts, documents and papers, as may be necessary to support the claim of the Commonwealth against the United States, for the use of the Senators and Representatives in

Congress from this state. And that the said Senators be instructed, and the Representatives requested, to attend to, and prosecute the said claim, and to use their best endeavors, that a fair and equitable adjustment thereof may be speedily obtained. And that his Excellency the Governor, with advice of Council, be authorized to draw his warrant on the treasury for such sum or sums, not exceeding five hundred dollars, as may be necessary for the transportation of said papers and documents, and the care and safe keeping of them at Washington, and for such other incidental expenses as may be incurred by the delegation in the prosecution of the claim of the state.

CHAP. CCII.

Resolve on the Governor's Message, respecting Moose Island. June 13th, 1818.

The Committee of both Houses, to whom was committed the message of his Excellency the Governor, communicating a letter from the Honorable John Quincy Adams, stating that his Britannic Majesty's Government had given orders for the delivery to the United States, of Moose, Dudley and Frederick Islands, and suggesting that it would be satisfactory to the President of the United States, should an officer of the Commonwealth of Massachusetts be appointed to attend at the surrender of the territory; having considered the same, ask leave to report the following resolve.

By order, JOSIAH QUINCY, *Chairman.*

Resolved, That his Excellency the Governor be, and he hereby is authorized and requested to appoint such officer of the militia of this Commonwealth as he may deem suitable and proper, to attend in behalf of said Commonwealth, at the surrender of Moose, Dudley and Frederick Islands, and to take such other measures in relation thereto, as, in his judgment, the interest and dignity of the Commonwealth may require.

ROLL, No. 79.....June, 1818.

THE Committee on Accounts, having examined the several accounts they now present,

REPORT, that there is now due to the Corporations and persons hereafter mentioned, the sums set to their names respectively, which, when allowed and paid, will be in full discharge of the said accounts, to the several dates therein mentioned: which is respectfully submitted.

OLIVER CROSBY, *Per Order.*

PAUPER ACCOUNTS.

Town of Adams, for board and clothing sundry paupers, to 28th May, 1818,	$ 111	08
Anson, for board and clothing sundry paupers, to 25th May 1818,	53	65
Amherst, for board and clothing Robert Richardson, wife and daughter, to the 27th May, 1818,	72	30
Acton, for board, doctoring and nursing James Sherland, till his death, 29th April, 1818, and funeral charges,	42	83
Abington, for board and clothing Thomas Seymore, to 4th June, 1818,	30	47

Brookfield, for board, clothing and nursing Abigail Severance and James Benton, to 10th May, 1818,	57 00
Bradford, for board and clothing Joshua L. Alsears, to 1st June, 1818,	26 87
Blanford, for board and clothing Samuel Walker Biel and Lettice Bruster, to 21st May, 1818,	74 58
Boxborough, for board, clothing, doctoring and nursing John McCoy, to 23d April, 1818,	73 08
Brookline, for board and clothing Peter Henry till his death, and funeral charges,	9 50
Barre, for board and clothing Samuel Lee and Sally Taylor, to 17th May, 1818,	62 00
Brimfield, for board, clothing and doctoring Jonathan Hill and John Christian, to 1st June, 1818,	113 47
Beverly, for board and clothing sundry paupers, to 1st June, 1818,	148 90
Bath, for boarding, clothing, doctoring and nursing sundry paupers, to 27th May, 1818,	211 38
Belfast, for support of Margaret James and three children, to 31st May, 1818,	117 00
Bradford, Samuel, keeper of gaol in the county of Suffolk, for support of sundry poor prisoners confined for debt, to 10th May, 1818,	349 30
Belchertown, for board, clothing and doctoring sundry paupers, to 5th June, 1818,	71 22
Baldwin, for board and clothing Daniel Hickey, to 1st May, 1818,	37 96
Bellingham, for board and clothing sundry paupers, to 29th May, 1818,	187 75
Bridgewater, for board and clothing sundry paupers, to 11th June, 1818,	78 00
Boston, for board and clothing sundry paupers, to 1st May, 1818,	7626 54
Cushing, for board, clothing and nursing Mary Henderson, to 19th May, 1818, and Peggy Rowley, till her death, and funeral charges,	38 50

Chester, for board, clothing and doctoring sundry paupers, to 25th May, 1818,	102 25
Conway, for support of sundry paupers, to 23d May 1818,	68 52
Concord, for board, clothing and doctoring sundry paupers, to 1st June, 1818,	270 97
Colrain, for board, clothing, nursing and doctoring Richard and Rachel Hines, to 23d May, 1818,	77 56
Cheshire, for board, clothing and doctoring sundry paupers, to 23d May, 1818, and expense for removing Jane Newton and her children out of the state,	168 76
Carlisle, for board, clothing and doctoring Robert Barber, to 25th May, 1818,	42 75
Cummington, for support and doctoring John Sampson, to 25th May, 1818,	54 34
Camden, for board, clothing and nursing John Bloom, and house rent for Richard Conway's family, to 29th January, 1818,	114 45
Charlestown, for board and clothing sundry paupers, to 3d June, 1818,	434 30
Dedham, for support and doctoring James Saunders, to 1st June, 1818,	20 18
Durham, for board and clothing sundry paupers, to 1st June, 1818,	217 20
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Manchester, for support of Abraham Gloss, to 14th March, 1818,	84 00
New Bedford, for board and clothing sundry paupers, to 1st April, 1818,	182 68
New Castle, for board and doctoring sundry paupers, to 4th May, 1818,	91 08
Northampton, for board, clothing and doctoring sundry paupers, to 21st May, 1818,	145 16
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Newbury, for board and clothing sundry paupers, to 1st June, 1818,	850 44
New Salem, for support, nursing and doctoring Philip Haven, to 4th April, 1818,	85 38
North Yarmouth, for board, clothing and doctoring George Young, to 2d June, 1818,	33 84
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Palmer, for board and clothing William and Phebe Mendum, to 8th May, 1818,	40 50
Poland, for board and clothing Bethany Wilson's five children, until they left the state, 6th April, 1817,	55 00
Portland, for board and clothing sundry paupers, to 1st June, 1818,	980 69
Plymouth, for board and clothing sundry paupers, to 1st June, 1818,	418 75
Pittsfield, for board, clothing and doctoring sundry paupers, to 1st June, 1818,	160 58
Russell, for board, clothing and doctoring Sally Harrington, to 15th January, 1818,	87 04
Rowe, for support of Betsey Carpenter, to 21st May, 1818,	52 00

Readfield, for board and clothing Edward Burgess, and Collins Cameron, to 21st May, 1818,	114 00
Roxbury, for board and clothing sundry paupers, to 3d June, 1818,	272 96
Randolph, for supplies to William Read, to 20th April, 1818,	39 72
Rowley, for board, clothing, doctoring, and nursing Elle Collins and Benning Dowe, to 1st May, 1818,	45 17
Swansey, for support of Garnet Burns and James Garner, to 23d May, 1818,	42 50
South Reading, for doctoring Susan Jackson, to 30th January, 1818,	4 06
Saco, for support of Mrs. Donmore and children, to 25th May, 1818,	46 00
Southbridge, for board and clothing London Derry, to 18th May, 1818,	67 20
Shelburne, for board and clothing sundry paupers, to 23d May, 1818,	60 20
Sandisfield, for support of Richard Dickson, wife and daughter, to 19th May, 1818,	31 50
Stockbridge, for board, clothing, doctoring and nursing sundry paupers to 1st June, 1818,	308 33
Sheffield, for support, doctoring and nursing Joseph Williamson, until his death, and funeral charges,	30 60
Spencer, for board, clothing and doctoring sundry paupers, to 27th May, 1818,	222 50
Sandwich, for support of Esther and Mason Raymond, to 28th May, 1818,	42 00
Scarborough, for support and doctoring John S. Moulton, to 23d April, 1818, and expense of removing,	69 30
South Berwick, for board and clothing Lemuel Woodworth, to 4th June, 1818,	33 00
Southwick, for board and clothing George Reed, to 1st June, 1818,	67 20

Springfield, for board, clothing, and doctoring sundry paupers, to 25th May, 1818,	212 65
Salem, for board and clothing sundry paupers, to 2d June, 1818,	2812 02
Taunton, for board and clothing sundry paupers, to 31st May, 1818,	247 46
Tyringham, for board, clothing, and doctoring Richard Gardner and wife, to 1st January, 1818,	70 29
Uxbridge, for support of sundry paupers, to 23d May, 1818,	48 60
Vassalborough, for board and clothing Abigail Fairbrother, to 1st June, 1818,	25 62
West Stockbridge, for board and clothing sundry paupers to 8th May, 1818,	44 12
Wareham, for support of William Long, to 27th May, 1818,	20 90
Warren, for support of sundry paupers, to 27th May, 1818,	117 00
Westfield, for board, clothing and supplies, to sundry paupers, to 1st June, 1818,	96 11
Waldoborough, for board and clothing Handle and Phebe Andrews, to 6th June 1818,	124 00
Wade Thomas, keeper of House of correction, in the county of Essex, for board and clothing sundry insane persons, to 1st June, 1818, including allowance, made by Court of Sessions,	322 80
Whately, for board and clothing Benjamin Matthew, to 18th May, 1818,	145 76
Westhampton, for board and clothing sundry paupers, to 28th May, 1818,	100 16
Western, for board and clothing Eliza and Harriot Trim, to 25th May, 1818,	124 00
Worcester, for board and clothing sundry paupers, to 1st June, 1818,	192 38
Westbrook, for board, clothing, doctoring and nursing John Burns, to 8th May, 1818,	81 70

Walpole, for board and clothing Elizabeth Ellis and Nancy Hearns' two children, to 1st June, 1818,	36 70
Williamstown, for support and doctoring sundry paupers, to 30th May, 1818,	67 38
Westborough, for support of Dinah, a Negro, to 1st December, 1817,	57 20
West Springfield, board, clothing and doctoring sundry paupers to 25th May, 1818,	145 43
Ward. for board and clothing Francis Savage, to 10th April, 1818,	18 40
Westford, for board, clothing and doctoring James Deirce, to 18th June, 1818,	28 10
York, for board, clothing, doctoring and nursing sundry paupers, to 30th May, 1818,	206 00
Total Paupers,	$27,458 43

MILITARY ACCOUNTS.

Courts Martial, &c.

Barnard, Robert F. for expenses of a Court Martial, held at Great Barrington, 27th and 28th January, 1818, whereof Thomas Stephens was President,	$ 90 20
Clark, Joseph, for expenses of a Court Martial, held at Waterville, February 11th, 1818, whereof Henry W. Fuller was President,	150 28
Carter Solomon, for expense of a Court Martial, held at Westborough, 3d of March, 1818, whereof Iven Jewett was President,	236 83
Whitney Timothy P. for expense of a Court Martial, held at Dedham, 13th December, 1817, whereof Jonathan Whitney was President,	186 56
Total,	$ 663 87

Brigade Majors and Aids de Camp.

Hight, William, to 1st May, 1818,	19 00
Hubbard, Russell, to 9th October, 1818,	30 50
Treat, Joseph, to 10th May, 1818,	85 83
Total,	$ 135 33

Brigade Quarter-Master's Accounts.

Bradbury, William, for 1817,	18 25

Adjutant's Accounts.

Billings, Asahel, to 27th April, 1818,	25 62
Barrows, Asa, to 1st June, 1818,	17 37
Bemis, Isaac, to 3d June, 1818,	46 50
Burr, Samuel, to 2d June, 1818,	56 71
Champney, John, to 1st June, 1818,	71 01
Carter, Willis, to 1st May, 1818,	36 55
Clement, Jesse, to 15th May, 1818,	17 56
Chadburn, Samuel, to 18th September, 1817,	5 80
Elder, Nored, to 20th February, 1818,	21 12
Fairfield, Jotham, to 20th May, 1818,	10 39
Farrar, David, to 18th May, 1818,	11 88
Fales, David S. to 1st June, 1818,	30 87
Gray, Moses, to 16th March, 1818,	55 97
Harris, Moses, to 5th May, 1818,	68 43
Hammond, Moses, to 1st January, 1818,	36 50
Henrick, Oliver, to 1st September, 1817,	33 35
Kimbal, Moses, to 4th April, 1818,	27 62
Leach, Cephas, to 5th May, 1818,	46 00
Lothrop, Cyrus, to 5th May, 1818,	62 00
Noble, Charles, to 15th April, 1818,	15 18
Orr, Hector, to 1st May, 1818,	47 41
Poor, Daniel A. to 1st May, 1818,	24 41
Remick, Benjamin, to 7th April, 1818,	12 67

Sampson, John, to 16th April, 1818,	26 73
Stone, Hosea, to 14th April, 1818,	5 23
Talmond, William, to 13th October, 1817,	61 51
Thompson, Arad, to 1st May, 1818,	54 65
Worthington, Gad, to 10th March, 1818,	25 76
Wild, William C. to 20th May, 1818,	41 00
Total,	$ 994 80

Expenses of Horses to haul Artillery.

Brackett, Nathaniel, for 1816 and 1817,	10 00
Bangs, Deal, for 1816,	5 00
Fessenden, Ebenezer, for 1817,	5 00
Lee, Charles, for 1816 and 1817,	10 00
Total,	$ 30 00

Courts Martial, &c.	663 87
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Brigade Quarter-Masters,	18 25
Adjutants,	994 80
For Artillery Horses,	30 00
Total, Military,	$ 1842 25

SHERIFFS' AND CORONERS' ACCOUNTS.

Andrews, Andrew, Coroner of Berkshire County, for an inquisition on the body of a stranger, and funeral charges, to May, 1818,	20 45
Cooper, John, Sheriff of Washington, for returning votes, to 17th May, 1818,	28 00
Hamlin, Cyrus, Sheriff of Oxford, for distributing precepts, and returning votes to April, 1818,	38 00
Hoyt, Epaphras, Sheriff of Franklin, for returning votes, to 25th May, 1818,	7 60

Hunnewell, Richard, Sheriff of Cumberland, for distributing precepts, and returning votes, to May, 1818,	34 75
Robbins, Chandler, Sheriff of Kennebec, for returning votes, to 6th May, 1818,	19 40
Thatcher, Samuel, Sheriff of Lincoln, for returning votes, to May, 1818,	16 00
Watson, George, Sheriff of Hancock, for returning votes, to May, 1818,	20 00
Worth, Jethro, Sheriff of Dukes' County, for distributing precepts and returning votes, to 28th May, 1818,	71 50
Total,	$325 70

PRINTERS' ACCOUNTS.

Ballard and Wright, for publishing sundry acts, and notices to 29th May, 1818,	13 00
Cushing, Thomas, C. for publishing acts and resolves, and notice of Commissioners of Land Office, to May, 1818,	22 67
Goodale, Ezekiel, for pulishing acts and resolves, list of taxes, notice of Commissioners of Land Office, &c. to February, 1818,	70 16
Hastings, William, for publishing acts and resolves, to 1st August, 1818,	16 67
Lindsey, Benjamin, for publishing acts and resolves, to May, 1818,	16 67
Manning, William, for publishing notice of Commissioners of Land Office, notice respecting Deaf and Dumb, and acts and resolves, to 10th January, 1818,	29 69
Rogers, Henry, for publishing acts respecting Courts in Middlesex and Worcester, to March, 1818,	4 75
Russell, Benjamin, by Russell, Cutler & Co. for printing done for the government, to 10th June, 1818,	2900 82

Young and Minns, for publishing notice respecting Deaf and Dumb, and acts and resolves, to June, 1818, 53 75

Total, $3128 66

MISCELLANEOUS ACCOUNTS.

Burdett, James W. for stationary furnished the Government, to 10th June, 1818, 227 40

Bradley, Josiah, & Co. for oil for the State House, to 5th June, 1818, 68 77

Boston Glass Manufactory, for glass for State House, to 10th June, 1818, 41 52

Bacon, Henry, for assisting the Messenger of the General Court, to 12th June, 1818, 47 50

Commissioners appointed to visit Marshpee and Herring Pond Indians, viz.

Honorable Dudley L. Pickman,	82 00	
" William B. Bannister,	84 00	
" Benjamin Whitman, Esquires,	76 00	242 00

Committee appointed to examine Old Colony Records, viz.

Reverend James Freeman,	112 45	
Benjamin Nichols, Esquire,	131 00	
Samuel Davis, Esquire,	84 00	
Joseph Avery, for stationary,	6 34	
Benjamin Loring, for stationary,	1 50	335 29

Durant & Snelling, for sundries for State House, to 10th June, 1818, 61 22

Francis, Mary, for her son Joseph, as Page to the House of Representatives, to 12th June, 1818, 18 75

Greenleaf, Oliver C. for stationary, furnished the Government, to 30th January, 1818, 4 50

Kuhn, Jacob, for balance due him on the 10th June, 1818, over and above the several grants made by the General Court, of the 10th June, 1817, and 16th January, 1818, 64 53

Loring, Benjamin, for stationary furnished Secretary's Office, to 16th May, 1818,	3 50
Low, John V. for assisting the Messenger of the General Court, to 12th June, 1818,	40 00
Low, Lewis, for assisting the Messenger of the General Court, to 12th June, 1818,	40 00
Thompson, James, for sundries for the State House, to 10th June, 1818,	81 31
Total,	$ 1276 29

Aggregate of Roll No. 79.

Expense of State Paupers,		27,458 43
Do.	Militia,	1,842 25
Do.	Sheriffs and Coroners,	255 70
Do.	Printers,	3,128 66
Do.	Miscellaneous,	1,276 29
	Total,	$ 33,961 33

Resolved, That there be allowed and paid out of the public treasury, to the several corporations and persons mentioned in this roll, the sums set against such corporations, and persons' names respectively; amounting in the whole to thirty-three thousand, nine hundred and sixty-one dollars and thirty-three cents; the same being in full discharge of the accounts and demands to which they refer.

June 12th, 1818—Approved,

J. BROOKS.

COMMONWEALTH OF MASSACHUSETTS.

SECRETARY'S OFFICE, OCTOBER 15, 1818.

By this I certify, that the Resolves printed in this pamphlet, which passed at the session of the General Court, beginning May 27th, and ending June 13th, 1818, have been compared with the originals in this office, and appear to be correct, except that on page 622, five lines from top, for "*thirteenth,*" read "*thirtieth.*"

ALDEN BRADFORD,

Secretary of the Commonwealth.

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RESOLVES

OF THE

GENERAL COURT

OF THE

Commonwealth of Massachusetts,

PASSED AT THEIR SESSION

WHICH COMMENCED ON WEDNESDAY, THE 13th DAY OF JANUARY,
AND ENDED ON SATURDAY, THE 20th DAY OF FEBRUARY, 1819.

Published agreeably to a Resolve of 16th January, 1812.

BOSTON:
PRINTED BY RUSSELL & GARDNER, FOR BENJAMIN RUSSELL,
PRINTER TO THE STATE.

1819.

RESOLVES

OF THE

GENERAL COURT OF MASSACHUSETTS,

PASSED AT THEIR SESSION

WHICH COMMENCED ON WEDNESDAY, THE 13th DAY OF JANUARY, AND ENDED ON THE 20th DAY OF FEBRUARY, 1819.

GOVERNOR'S MESSAGE.

REPRESENTATIVES' CHAMBER, JANUARY 20th, 1819.

The Secretary communicated from the Governor, the following

MESSAGE:

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

HAVING been informed by your joint Committee, that the two branches of the Legislature are ready to receive the customary communications, I avail myself of the occasion to welcome your return to this ancient seat of legislation, to pledge to you the assurances of my ready concurrence in the adoption of any measures which may promise utility to the public, and to congratulate you on the continued prosperity of the Commonwealth, and of the nation. It must be highly gratifying to your feelings, as it has been to mine,

to observe the assurances of the first functionary of the United States, that "commerce is flourishing, that the revenue has exceeded the most favorable anticipation, and that peace and amity are preserved with foreign nations, on conditions just and honorable to our country."

The completeness of our political and secular enjoyments, however it may repress the hope of higher attainments, admonishes us of our obligations to preserve them. The annals of our country testify, that, for almost two centuries, a struggle has been maintained, to establish governments founded on the natural rights of men. This struggle has been successfully terminated only by the present generation; and we, who have been the last actors, owe it to our children and heirs, to transmit the inestimable acquisition.

The augmentation of the population of the United States, is a singular phenomenon in the history of nations. In the space of forty years we have witnessed more than a triplication of our numbers. Even the primitive States have experienced an augmentation, while continual emigrations have furnished a youthful and vigorous population for new States. Thus have been formed, and are progressively forming, additional Commonwealths, constructed upon the original models;—the principles of liberty, the habits of order, and the arts of peace and civilization, are rapidly spreading, and lands, lately unexplored, are teeming with the luxuriant and gainful products of improved culture.

Our numerical increase, however, is not to be assumed as the ratio of melioration in the arts of life. Agriculture, and many of the manufacturing arts, have improved in much greater proportions; and it is with pleasure, not unmingled with pride, that we can particularly recognize the high degree of perfection to which some branches of the manufactures of this State have attained. The delicate and beautiful fabrics of cotton and woollen goods, and the elegant specimens of cut glass, exhibited to the Massachusetts Agricultural Society, at Brighton, in October last, reflect honor on the artist and our country. They do more; they demonstrate our capacities for prosecuting, successfully, some of the most useful branches of manufactures from domestic materials, and inspire the hope, that, at no far distant period, our domestic demands and supplies will be commensurate. The facilities with which Massachusetts abounds for effecting a vast extension to these, and many other kinds

of manufactures, are satisfactory pledges of their future attainments. And, I may add, that the numerous and inexhaustable sources of water power, in the District of Maine, superadded to extensive tracts of fertile soil, and unequaled advantages for inland as well as marine navigation, designates that country as the destined seat of improvements, and of wealth. Peace and good governments, with which, under the smiles of Heaven we are blessed, will accelerate that desirable period.

While adverting to these objects, I might notice many other branches of manufactures and useful labor, which give employment to numerous artizans and their families, are in a state of progressive improvement, and the sources of public convenience and domestic comfort. But I will detain you only a moment on one of the most important branches of the useful arts—naval architecture. Nothing, I am sensible, need be urged to impress your minds with a sense of the inestimable value of this art, as a source of private wealth, of public revenue and national aggrandizement: And, I should hardly venture to suggest the subject, were it not from a serious conviction of the deep interest the people of this State have in this great branch of productive labor and political economy. The official statements of the Department of the Treasury, assign to Massachusetts, about one third part of the whole amount of tonnage of the United States. To maintain this ratio, and if practicable, to increase it, an inquiry into the means of doing it, and especially an examination of the productiveness and permanence of the sources whence the materials for ship building are to be derived, becomes necessary. Their abundance heretofore, has led to prodigality and waste. Ship timber is daily becoming less plenty; and the increased demand, suggests the expediency, if not the indispensable necessity, of artificial aids for its reproduction. The great length of time required for forest trees to reach maturity, and the little attention individuals are disposed to bestow upon interests precarious and remote, are conclusive considerations to justify the interposition of Legislative encouragement. The forecast of government only, can guard the body politic from the evils of private improvidence. From the present limited quantity of the oak, would it not be prudent at least, to adopt some prospective measures to ensure a succession of that essential material? The prosperity of this State must,

and the safety of the nation may, at some future period, be seriously affected by a destitution of so important an ingredient in naval architecture. Might not a moderate endowment of the Massachusetts Agricultural Society, applied to this specific object, be competent to its ultimate accomplishment?

In connexion with the subject of woollen manufactures, so important to the people of this State, I am unwilling to suffer the present occasion to pass, without referring to the advantages possessed by this State, for raising and improving sheep. However individuals might suffer, from large speculations in Spanish flocks, their introduction might be considered as highly auspicious to our manufacturing interests. Should this subject be deemed worthy the patronage of the Legislature, in addition to the encouragement given through the channel of the Agricultural Societies of the State, I should cheerfully concur in any measures calculated to effectuate the object.

To regulate commerce, is the exclusive prerogative of the National Government. Every system of commercial regulations, must stand or fall, by its results. Commerce being of vital importance to the people of Massachusetts, they must necessarily be alive to whatever can accelerate or retard its activity.

They, too, ever ready to render the tribute of gratitude and respect when it is due, as vigilant to guard their rights, derive high satisfaction from the national system of commercial laws, now in successful operation, under the auspices of the illustrious Chief Magistrate of the United States, whose administration commands our confidence and approbation. The flourishing and happy condition of our beloved country, both public and private, is the best comment, and the highest eulogy, that can be addressed to the wisdom of our National Councils. What but wise laws—laws adapted to the circumstances of the different sections of the United States, and to their relation with foreign nations, could impart such force and activity to the energies of our citizens, as is now witnessed? By a happy adaptation, and faithful execution of commercial regulations, the several departments of agriculture, of the fisheries, manufactures, navigation, and trade, are in a state of vivid action, mutually supporting and supported by each other. And so accurately do the several great branches of political econo-

my appear to be balanced, that any essential change in the adjustment of either, might destroy the equilibrium. Facts speak a language intelligible and decisive. The lucrative results of our mercantile intercourse with other nations, cannot be misconstrued. They can only be elaborated under the protection of good laws, by the enterprize and professional skill of our citizens. Capital is the offspring of trade; and by encouraging the fisheries, and an active foreign commerce, besides, that a prolific source of seamen for the national navy is substantiated, importations from other nations yield a copious revenue, and the gains of the merchant constitute a fund of private wealth, which the government, faithful to its engagements, may at pleasure command.

If, under existing regulations, men engaged in commercial pursuits are seen to suffer embarrassment and distress, the causes must be elsewhere sought than in the laws. Trading without, or on artificial capital, is their too frequent origin. What agency the multiplication of banks, and the consequent increase of bank paper, may have in occasioning eventual perplexity and failure, I am not possessed of sufficient data to enable me to ascertain. Evils of this class, however, occurring in districts of country where the elements of banking are comprehended and duly appreciated, and where banks are established on maxims of justice, and regulated in their operations by fair and honorable considerations, must be transient and partial. In situations, where much business being done, money is often changing hands, and individuals may be benefited by short loans, the utility of banks seems to be conceded. But in free governments, the rights of all the people are committed equally to the guardian care of the Legislature, and all have equal claims to its protection. Monopolies and exclusive privileges are admissible, only as means of obtaining some great good, in which the whole community has an ultimate interest, and which can by no other expedient be so well effected. Hence the fitness of limiting the charters of banks in their duration; and hence likewise the duty of the Legislature, while it gives perfect security to bank stock, to restrain those institutions from transcending the rules of justice and good faith, and of securing the people at large from deception, and the complicated evils of a redundant and depreciated paper. In concluding my remarks on this subject, I feel sincere satisfaction in expressing what I deem

to be due to the banking establishments of this metropolis, and of Massachusetts generally, the high sense I entertain of the correct and honorable manner in which their concerns, in times of peril and extreme pressure, have been administered.

An inflexible perseverance in the principles upon which the banks of the Commonwealth were incorporated, is indispensably necessary to maintain the utility of those institutions, and to avert the mischiefs which a dereliction of those principles are seen to produce.

A resolve passed the Legislature on the thirteenth day of February, one thousand eight hundred and eighteen, authorizing the Governor, with the advice of Council, to appoint and commission three suitable persons to treat with the Penobscot Indians, for the purpose of examining into the circumstances and situation of the said tribe, and the lands they possess, and devising and arranging some means for improving their condition, as men, and of agreeing with them for a relinquishment of their right and claim to such parts of the land, on both sides of the Penobscot River, and such islands in said river, as the tribe now possess or claim, and shall be inclined voluntarily and freely to dispose of, for an equivalent to be agreed upon with them; and for other purposes specified in the resolve. Conformably to the powers vested in me, by the said resolve, the Honorable Edward H. Robbins, the Honorable Daniel Davis, and the Honorable Mark L. Hill, were appointed and commissioned to carry into effect the intentions of the Legislature. The Commissioners accordingly proceeded to Bangor, at the time assigned in the resolve; and having met and conferred with the Chiefs, Captains, and men, representing the the whole tribe, on the twenty-ninth day of June, one thousand eight hundred and eighteen, they concluded a treaty, which, with some extracts of a letter from the First Commissioner of the Land Office, dated the ninth instant, connected with the subject of the treaty, will now be laid before you.

By a resolve that was passed on the thirteenth of June, one thousand eight hundred and eighteen, the Governor, with advice of the Council, was authorized and requested to appoint an Officer of the militia, to attend, in behalf of the Commonwealth, at the surrender of Moose, Dudley and Frederick Islands; and to take such other measures in rela-

tion thereto, as, in his judgment, the interest and dignity of the Commonwealth might require. Pursuant to that resolve, Lieutenant Colonel Henry Sargent was appointed to attend the surrender of those islands, by the British government, to the government of the United States; and accordingly proceeded to Moose Island, in company with General Miller, who was authorized by the President of the United States to receive the same in their behalf; and, agreeably to his instructions, performed the duties of his appointment. A copy of those instructions, and of his report, will be communicated to you.

It will be proper for me to state, that the company of artillery, and the company of light infantry, at Eastport, are reorganized; and that the muskets and accoutrements, received by Colonel Sargent from the officer commanding the British troops at Eastport, are placed in the hands of the Selectmen of that town, subject to your directions. After possession was obtained of the several islands, as above mentioned, a proclamation, announcing the event, and calling on all the citizens, and more especially all public officers, duly to notice the same, was issued; a copy of which, together with all the documents referred to in this communication, will be laid before you by the Secretary.

During the recess, I received a letter from each of the Governors of the States of New Hampshire, Connecticut, New York, Ohio, and Missisippi, accompanied by sundry resolves of the Legislatures of those States respectively, relating to several proposed amendments in the Constitution of the United States, which communications are now submitted to you.

The Secretary will also lay before you, an exhibit of the state of the treasury, on the first day of the present month, presented to me by the Treasurer, for your inspection. From the magnitude of some items of debts due to the Commonwealth, you may probably deem it adviseable to institute an inquiry into their actual situation. The small amount of outstanding taxes in the hands of Collectors, and the respectable sum of each, on hand, in the Treasury, at the above mentioned date, are highly creditable to that department. The exhibit shews that the Treasurer has had no occasion to avail himself of any part of the fifty thousand dollars, he was authorized to borrow, by a resolve of the tenth of June last; that the debt of the State is reduced to

five hundred forty-nine thousand, eight hundred and seventeen dollars, and thirteen cents; that, exclusive of bonds and notes due to the State, from individuals, the Treasurer holds United States deferred six per cent. stock, one hundred fifty-five thousand, six hundred and eighteen dollars and eighty-nine cents; new six per cent. stock, nine thousand, nine hundred and one dollars and fifty-nine cents; seven per cent. sixty-nine thousand, one hundred and eighty-seven dollars; and of three per cent. two hundred forty-nine thousand, one hundred and eighty-seven dollars; so that, estimating these various descriptions of stock, at the current value, they would produce an aggregate of about three hundred ninety-eight thousand, four hundred dollars; consequently the total amount of the present debt of the State, and that at five per cent. interest per annum, laying out of the account the exceptions above mentioned, and including the above mentioned stocks, may be stated at about one hundred fifty-two thousand dollars.

Notwithstanding, however, this favorable view of the treasury, the present limited system of taxation must necessarily restrain our fiscal operations to the support of government, and the payment of the interest of the debt. The question, therefore, recurs, whether some new source of revenue ought not to be provided by the Commonwealth for the payment of the principal of the debt, for the encouragement of agriculture, the fisheries, the arts, and other objects of public improvement and general utility, which should be worthy of herself, and serve to awaken, into greater activity, the resources and the best energies of the State?

JOHN BROOKS.

Council Chamber, January 14, 1819.

RESOLVES.

JANUARY AND FEBRUARY, 1819.

CHAP. CCIII.

Resolve on the petition of Samuel Sprague, praying for permission to cover part of his brick house with clapboards. January 16th, 1819.

Resolved, That the said house may be, and remain covered with clapboards, as aforesaid, any law to the contrary notwithstanding: *Provided, however*, that whenever, in the opinion of the Firewards of the town of Boston, the security of the said town from fire, shall require that the said covering of said house shall be removed, and upon notice thereof given, the said Samuel Sprague, or any other person holding the same house, shall forthwith remove the said covering therefrom.

CHAP. CCIV.

Resolve granting the Quarter Master General $2580,50, *to pay for articles supplied the Commissioners appointed to treat with the Penobscot Indians.* January 20th, 1819.

Whereas, by a resolve passed on the thirteenth of February, one thousand eight hundred and eighteen, the Quarter Master General was directed to furnish the Commission-

ers. appointed by said resolve, to treat with the Penobscot Indians, with such articles as should be required by the said Commissioners, to enable them to pursue and effect the business of their appointment; and it appearing by the representation of the Quarter Master General, that, in obedience to the requisitions of said resolve, he hath furnished said Commissioners with sundry articles, amounting to two thousand five hundred and eighty dollars and fifty cents, for the payment of which sum no appropriation has been made; be it therefore

Resolved, That there be allowed and paid out of the treasury of this Commonwealth, the sum of two thousand five hundred and eighty dollars and fifty cents, to Amasa Davis, Esquire, Quarter Master General, the same being the amount of supplies furnished by him as aforesaid, and that his Excellency the Governor, by and with the advice of Council be, and he hereby is requested to draw his warrant on the treasury, in favor of the said Davis, for the said sum.

CHAP. CCV.

Resolve granting $300 *to Jacob Kuhn, to purchase Fuel.*
January 20th, 1819.

Resolved, That there be paid out of the treasury of this Commonwealth to Jacob Kuhn, Messenger of the General Court, the sum of three hundred dollars, to enable him to purchase fuel, and such other articles as may be necessary for the use of the General Court, together with the Governor and Council Chamber, the Secretary's, Treasurer's, Adjutant General's, and Quarter Master General's Offices, and also for the Land Office; he to be accountable for the expenditure of the same.

CHAP. CCVI.

Resolve authorizing Ann Frances Humphreys, to hold and dispose of certain real estate. January 20th, 1819.

On the petition of Ann Frances Humphreys, praying, that having been born in a foreign country, she may be permitted to hold real estate, devised to her by the last will and testament of her late husband, General David Humphreys, deceased;

Resolved, That said Ann Frances Humphreys be, and hereby is authorized and empowered to hold all the real estate within this Commonwealth, so devised, according to the intent and meaning of said devise, with the same privileges of disposing the same by deed, or by her last will and testament, and of transmitting the same to her heirs, as if she were a native born citizen of this Commonwealth.

CHAP. CCVII.

Resolve authorizing David Ripley, Guardian of Roger Newton, a minor, to convey certain real estate of his said Ward. January 21st, 1819.

On the petition of David Ripley, of Greenfield, in the County of Franklin, Guardian of Roger Newton, a minor, grand son of Roger Newton, late of said Greenfield, D. D. deceased,

Resolved, For reasons set forth in the petition aforesaid, the said David Ripley be, and he is hereby authorized and empowered, by deed, under his hand and seal, to convey to Jonathan Leavitt, and others his associates, for the purpose of erecting the Second Congregational Meeting House in Greenfield, aforesaid, their heirs and assigns, a small parcel of land, situate in Greenfield, aforesaid, which the said Roger Newton, deceased, by his last will and testament, devised to the said minor; which land is bounded north by land which the said Jonathan Leavitt and others, purchased of Isaac Newton, 2d; south by land of John

E. Hall ; east by the highway ; and west by land of the said Isaac Newton, 2d. And the said deed, executed as aforesaid, shall give to the said Jonathan Leavitt and others, all the right, title and estate which the said minor has, or may have, in and to the premises, to hold, to them, their heirs and assigns, as tenants in common, in proportion to their respective shares in the meeting house, aforesaid : *Provided*, that before such conveyance, the said Jonathan Leavitt and others, shall procure Isaac Newton, 2d, of Greenfield, aforesaid, to deliver to him, the said David Ripley, for the use of the said minor, a good and sufficient deed of warranty, duly executed and acknowledged by him, the said Isaac, conveying to the said minor, his heirs and assigns, a certain parcel of land situate in Greenfield, aforesaid, on the south side of the main street, bounded as follows : beginning at the north-west corner of Timothy Hall's land ; thence westerly on said street, fourteen rods and twenty-one links, to a stake ; thence south, three degrees and thirty minutes west, eight rods to a stake ; thence south, twenty-one degrees, thirty minutes west, eight rods and fourteen links, to an elm tree ; thence south, sixteen degrees, forty minutes west, six rods, twenty-one links, to a stake ; thence east, two degrees north, eight rods to an oak tree ; thence north, twenty-three degrees east, three rods and twenty-two links, to an oak tree ; thence north, forty-six degrees east, three rods and thirteen links, to a maple tree ; thence northerly and easterly, partly on land of said Isaac Newton, and partly on the old burying ground, about twelve rods, to a stake, in range with the west line of Timothy Hall's land ; thence north, six degrees west, partly on said Isaac Newton's land, and partly on said Hall's land, ten rods, to the place of beginning ; containing by estimation, one and three fourths acres ; reserving to Hannah Newton, of Greenfield, aforesaid, widow, the mother of the said minor, the same rights in the land last described, with the buildings thereon, which, by virtue of the last will and testament of the said Roger Newton, deceased, she has, or may have, in the premises, which the said Guardian is herein authorized to convey : *Provided, also*, that the said Jonathan Leavitt and others, shall give sufficient security to the said David Ripley, for the use of the said minor, that, when the said meeting house shall have been erected and finished, they will convey or cause to be conveyed to the

said minor, his heirs and assigns, a pew in the said meeting house, of the value of one hundred dollars; that they will, in six months, build or cause to be built, a suitable fence to enclose the garden appurtenant to the house, standing on said land, so as aforesaid to be conveyed by the said Isaac Newton to the said minor; and that they will, within a reasonable time, build, or cause to be built, one half of the division fence on the dividing line between the said land and the adjoining lands.

CHAP. CCVIII.

Resolve authorizing Sarah Cleaves to convey real estate.
January 22d, 1819.

On the petition of Sarah Cleaves, of Biddeford, in the County of York, widow, Administratrix on the estate of Daniel Cleaves, late of said Biddeford, Esquire, deceased, intestate, praying that she may be authorized and empowered to make and execute good and sufficient deeds of several farms and tracts of land, to several persons, as mentioned and described in said petition, according to the several contracts made and entered into by said deceased, in his life time;

Resolved, That the said Sarah Cleaves, Administratrix, as aforesaid, be, and she is hereby authorized and empowered to make and execute good and sufficient deeds to the several persons herein named, of the several farms, tracts and parcels of land hereafter mentioned; *provided*, said persons shall pay the several sums of money, and otherwise comply with their said contracts made by and between them, respectively, and said deceased, viz: To Daniel Cole, of Saco, a farm purchased of said Cole, by deed, dated the twenty-first day of December, A. D. one thousand eight hundred and fifteen; to Tristam Jordan, Junior, a lot or tract of land, purchased of said Jordan, by deed, dated the eighth day of January, one thousand eight hundred and six; to Stephen Thompson, two tracts of land, purchased of Thomas Cloutman, by deed, dated December tenth, one thousand eight hundred and six; to James Curry, a tract of land, purchased

of James Gray, Esquire, by deed, dated the twenty-seventh day of November, one thousand eight hundred and ten; to Nathaniel Dunn, a lot or tract of land, purchased of said Dunn, by deed, dated the sixth day of December, one thousand eight hundred and five; to Joshua Hearle, Junior, and Aaron Bragdon, a tract of land, purchased of Jacob Hearle, by deed, dated the twenty-eighth day of December, one thousand eight hundred and three; to Stephen Irish, a lot or parcel of land, purchased of said Irish, by deed, dated the eleventh day of June, one thousand eight hundred and six; to William Owens, one half of a mill privilege, purchased of Stephen Hopkinson, by deed, dated the twentieth day of November, one thousand eight hundred and six; to James Hopkinson, six twenty-fourths of a mill privilege, purchased of Stephen Hopkinson, by deed, dated the twentieth of November, one thousand eight hundred and six; to Tristram Morrill, a tract of land, purchased of said Morrill, by deed, dated the fourteenth day of August, one thousand eight hundred and two; to Israel Buker, a tract of land and house, purchased of Samuel Collyer, by deed, dated the first day of November, one thousand eight hundred and eight; to Amos Woodman, and Samuel Lane, a lot of land, purchased of Joseph Littlefield, and Jotham Moulton, by deed, dated the second day of November, one thousand eight hundred and two; to Samuel Davis, two tracts of land, purchased of said Davis, by deed, dated the eleventh day of March, one thousand eight hundred and fourteen; to Joseph Smith, 5th, thirty acres of land, off the north-east end of a lot, containing one hundred and eighty acres, purchased of George Frost, by deed, dated the twentieth day of November, one thousand eight hundred and two; to Samuel Lane, a tract of land, purchased of said Lane, by deed, dated the first day of January, one thousand eight hundred and five; to Daniel Dennett, a quarter of an acre of land, with a house and store thereon standing, purchased of Theodore Powers, by deed, dated the sixth day of November, one thousand eight hundred and five; to Francis Wood, an island near the mouth of Saco River, called Negro Island; to Joshua Emery, a tract of land, purchased of Samuel Sands, by deed, dated the thirty-first day of October, one thousand eight hundred and eight.

CHAP. CCIX.

Resolve making an appropriation for the expenses of the State Prison. January 22d, 1819.

The Committee of both Houses, to whom was referred the petition of Gamaliel Bradford, praying for a grant of eight thousand dollars, to defray the necessary expenses of the State Prison, respectfully report, that the same ought to be granted; and your Committee also report a resolve, authorizing the payment of said sum from the treasury.

DANIEL WALDO, *Chairman.*

Resolved, That there be allowed and paid out of the public treasury, for the use of the State Prison, the sum of eight thousand dollars, to be drawn from the treasury, by the Warden of said prison, in such sums as the Directors shall from time to time direct; and his Excellency the Governor, with the advice of Council, is hereby requested to draw on the Treasurer for said sums accordingly.

CHAP. CCX.

Resolve making an appropriation for a Priest to the Passamaquoddy tribe of Indians. January 22d, 1819.

On the petition of Francis Joseph Neptune, Chief of the Penobscot and Passamaquoddy tribes of Indians,

Resolved, That the sum of three hundred and fifty dollars be, and the same is hereby appropriated, for the payment of a Teacher of Religion, or Priest, conformably to the religious sentiments or persuasion of the said tribes; and that the Governor of this Commonwealth be, and he hereby is authorized, by and with the advice of Council, to appoint a suitable Teacher, or a Priest, above mentioned, and also to draw annually, his warrant on the treasury for the payment of the sum herein before appropriated.

CHAP. CCXI.

Resolve abating Taxes to the town of Eastport.
January 23d, 1819.

The Committee to whom was referred the petition of the inhabitants of the town of Eastport, in the County of Washington, praying for an abatement of taxes for the year one thousand eight hundred and fourteen, fifteen, sixteen, seventeen, and eighteen, find that said town was under the exclusive jurisdiction of the government of Great Britain, from the eleventh day of July, in the year of our Lord one thousand eight hundred and fourteen, until the thirtieth day of June, one thousand eight hundred and eighteen, and that no protection was extended to the inhabitants, or jurisdiction exercised over them, by the government of this Commonwealth, for said period of time; whereupon they report the following resolve.

S. LELAND, *Chairman.*

Resolved, That all State Taxes apportioned, levied, and assessed, upon the town of Eastport, in the County of Washington, or the inhabitants thereof, for the years of our Lord one thousand eight hundred and fifteen, one thousand eight hundred and sixteen, one thousand eight hundred and seventeen, and one thousand eight hundred and eighteen, except the sum of eighty-six dollars of the tax of the year one thousand eight hundred and fifteen, being the sum paid out of the treasury of the Commonwealth, to the Representative to the General Court, from said town, for the political year one thousand eight hundred and thirteen, be, and the same are hereby abated and remitted; and all executions, extents, or warrants of distress, which have issued for the collection of said taxes, for the years one thousand eight hundred and sixteen, one thousand eight hundred and seventeen, and one thousand eight hundred and eighteen, be, and the same are hereby annulled; and the execution, extent, or warrant of distress, issued for the collection of taxes for the year one thousand eight hundred and fifteen, be, and the same is hereby satisfied, for all sums due thereon, except said sum of eighty-six dollars, and such costs as have arisen in consequence of the non payment of said sum.

CHAP. CCXII.

Resolve authorizing the towns of Harwich, Orleans, and Brewster, to sell certain Lands. January 27th, 1819.

On the petition of the committees of the towns of Harwich, Orleans, and Brewster, in the County of Barnstable, and for resons set forth in said petition,

Resolved, That Solomon Freeman, Abraham Winslow, Simeon Kingman, William Myrick, Isaiah Chase, Jeremiah Walker, and James Long, committees of the said towns of Harwich, Orleans and Brewster, be, and they are hereby authorized and empowered, in behalf of said towns, to sell all the wood land or brush land, and cleared land, (not before disposed of) lying in the limits of said towns, formerly belonging to the Potawumacut tribe of Indians, either at private sale, or public auction, as the committees aforesaid shall think most advantageous for the interest of said towns : And the committees aforesaid be, and they are hereby authorized and empowered, good and sufficient deed or deeds thereof to make, execute and deliver, to the purchaser, or purchasers of the same, according to law ; and that the proceeds of said land, when sold, be equally divided betwixt the three towns aforesaid ; and by the respective committees of the towns aforesaid, deposited in the several town treasuries of said towns, for the support of said Indians, now chargeable, or that may hereafter become chargeable to said towns.

CHAP. CCXIII.

Resolve granting $30 *to David Mead, for expenses occasioned by a wound received when on Military Duty.* January 28th, 1819.

Resolved, That there be allowed and paid out of the treasury of this Commonwealth, to David Mead, thirty dollars, in full for expenses and loss of time, from a wound he received from the discharge of a musket, while on military duty.

CHAP. CCXIV.

Resolve on petition of Benjamin Harris, authorizing John Fullerton, as Guardian, to execute a Deed.
January 28th, 1819.

On the petition of Benjamin Harris, of Boothbay, in the County of Lincoln, setting forth a contract made between him and one Charles Fisher, late of said Boothbay, wherein the said Fisher engaged to convey, by deed, to the said Harris, four undivided sixth parts of a parcel of land described in the petition; and also setting forth the death of said Fisher, before the said deed was executed, and praying that John Fullerton, of said Boothbay, Guardian of the children and heirs of said Fisher, all of whom are minors, may be empowered to convey the said premises, by deed, to the said Harris, according to the true intent and meaning of said contract;

Resolved, that the said John Fullerton be, and he is hereby authorized to convey the said premises, as described in said petition, to the said Benjamin Harris, his heirs and assigns, forever, by a good and sufficient deed, to have and to hold the same to him, his heirs and assigns, in as full and ample a manner, as if the same had been conveyed by the said Fisher in his life time: *Provided, however*, that the said Harris first pay to said Fullerton, for the benefit of said heirs, any monies still due from the said Harris, by virtue of the contract aforesaid.

CHAP. CCXV.

Resolve on the petition of Jacob Quincy, authorizing Elizabeth Baker, as Executrix, to execute a Quit Claim.
January 28th, 1819.

On the petition of Jacob Quincy, stating that on the fifteenth day of July last, he executed a deed to Joseph Baker, of Portland, in the County of Cumberland, since deceased, of a piece of land, situated in Standish, in said

county, and bounded as follows : beginning on the easterly side of the road, by Eliphalet Parker's land ; thence running south, forty-six degrees east, by said Parker's land, one hundred and thirty-two rods, to the corner of the lot ; thence south, forty-five degrees west, by land of John Dean, Esquire, seventy rods ; thence north, forty-six degrees west, thirty-six rods, to the road ; thence by said road, north, seven degrees east, twenty-one rods, north eleven degrees west, sixty rods, and north, four degrees east, thirty-eight rods, to the first mentioned bounds ; containing thirty-five acres. That by the mistake of the person who wrote the deed aforesaid, the words, "one quarter part," of the above described land, were left out in the description, when it was the intention of both the parties, that but one quarter part thereof should be conveyed, as appears by a certificate of the Executrix of said deceased's will, and the Guardian of the heirs of said deceased's estate ;

Resolved, That Elizabeth Baker, the Executrix of the last will and testament of the said Joseph Baker, deceased, be, and she is hereby authorized and empowered to give to Jacob Quincy, a release and quit claim of three quarters of the above described land, to him and his heirs and assigns forever.

CHAP. CCXVI.

Resolve on petition of John Heald, making valid his doings as Administrator on the estate of John Heald, deceased.
January 28th, 1819.

Resolved, That the doings of John Heald, Administrator on the estate of John Heald, late of Carlisle, deceased, be, and the same are hereby confirmed, and rendered as valid in law, as they would have been if he had posted two notifications of his appointment as Administrator as aforesaid.

CHAP. CCXVII.

Resolve directing the Clerk of the Circuit Court of Common Pleas, for the County of Barnstable, to issue Venires for Grand Jurors. January 29th, 1819.

Whereas venires for Grand Jurors to serve in the Circuit Courts of Common Pleas, are by law required to be issued forty days, at least, before the first day of March, annually; and whereas, by reason of the sickness and death of the late Clerk of the Circuit Court of Common Pleas, in the County of Barnstable, the venires for Grand Jurors to serve in said Circuit Court of Common Pleas, in and for the said County of Barnstable, for the current year, have not been seasonably issued,

Resolved, That the present Clerk of the Circuit Court of Common Pleas, in the said County of Barnstable, be, and he is hereby authorized and required, forthwith, to issue venires for Grand Jurors, to serve in the said Circuit Court of Common Pleas, for the said County of Barnstable, for the current year, to be served and returned in the same manner, as though the same had been issued forty days before the first day of March next.

Be it further resolved, That the persons, who may be drawn, notified and returned, to serve as Grand Jurors, by virtue of the venires to be issued in pursuance of this resolve, are hereby authorized and required to discharge and perform, in the aforesaid Court, all the duties of Grand Jurors, within and for the said County of Barnstable, for the current year, any law to the contrary notwithstanding.

CHAP. CCXVIII.

Resolve on the Memorial of the Honorable Joseph Allen. January 29th, 1819.

Resolved, That in addition to the authority granted to the Honorable Joseph Allen, by a resolve, passed February fourteenth, one thousand eight hundred and eighteen, to

sell and convey, by good and sufficient deed, or deeds, all the right, title and interest the Commonwealth has in certain lands in Princeton and Hubbardston, in the County of Worcester, conveyed to the Commonwealth, by mortgage deeds, made and executed by Henry Prentice and Bartholomew Cheever, both of said Princeton, of which the right of redemption is now foreclosed, he be authorized to give such deed or deeds, with warranty against the claims and demands of all persons.

CHAP. CCXIX.

Resolve authorizing Lucy Rowell and her Children to occupy Real Estate, for twenty years.
January 30th, 1819.

On the petition of Lucy Rowell, widow of the late John Rowell, deceased, and others, in behalf of her and her children, praying that an hundred acres of land, in township number two, on the east side of Penobscot River, on which the deceased had settled, may be assigned to her and her children ;

Resolved, That the said Lucy Rowell, and the children of her and her late husband, be, and they are hereby authorized and privileged to occupy and improve, rent free, for the space of twenty years, from the passing of this resolve, the lot of land, whereon the said John Rowell, in his life time, had settled and made improvements ; the lines, extent and limits of said lot to be strictly conformable to the survey and marks made by James Irish, Esquire, Anno Domini eighteen hundred and eighteen, under the direction of the Commissioners of the Land Office ; the same lot as marked containing an hundred acres, more or less.

Resolved, That at the expiration of said twenty years, the said Commissioners be, and they are hereby authorized and empowered to convey, by deed, in fee, to such heirs of said John Rowell, as may then be living, the whole of said lot ; the said surviving heirs, first satisfying the said Commissioners, that one hundred dollars are paid into the treasury of this Commonwealth, by the said heirs, before the conveyance be made to them.

CHAP. CCXX.

Resolve on petition of P. Rice, Guardian of Ezra Rice. February 5th, 1819.

On the petition of Phinehas Rice, of Framingham, in the County of Middlesex, Guardian of Ezra Rice, of said Framingham, a spendthrift, praying for licence to sell the whole of said spendthrift's real estate;

Resolved, That said Guardian be authorized to sell, and pass deed, to convey the whole of said real estate, in manner and form, and under the conditions prescribed by law, for the sale of the real estate of persons non compos mentis.

CHAP. CCXXI.

Resolve granting Compensation to Honorable Isaac Parker, and others. February 5th, 1819.

Resolved, That there be paid out of the treasury of this Commonwealth, to the Honorable Isaac Parker, Charles Jackson, and Daniel Davis, Esquires, each the sum of one hundred dollars, in full compensation for their services, as a committee to revise the criminal code of the Commonwealth.

CHAP. CCXXII.

Resolve authorizing Thomas Haskins, as Administrator on Francis A. Foxcraft, deceased's estate, to execute Deeds. February 1st, 1819.

On the petition of the said Thomas Haskins, Administrator as aforesaid, praying that he, or some suitable person, may be authorized and empowered to make and execute

deeds of conveyance, of one moiety of the following described lands, to Joseph E. Foxcraft, and one quarter part thereof to Elizabeth Haskins, the Assignee of said Thomas Haskins, which the said Francis A. in his life time, by instruments not under seal, promised to convey, but was prevented by death ; said real estate is described as follows, viz : About three thousand one hundred and sixty-nine acres of land, situate in the County of Washington, being part of a half township of land granted by the Legislature of the Commonwealth of Massachusetts, to the heirs and assigns of the late Honorable Thomas Danforth, deceased, to wit : all the first range, being nineteen lots, from number one to nineteen inclusive, situate at the westerly side of said township, and extending east half a mile, being the same that belonged to all the heirs of said Thomas Danforth, deceased. Also, all the right that William Savory and Martha Savory had in said grant, to which right the following lots have been drawn, viz. : lots number nine in the fifth range, nineteen in the sixth range, and one half of lot number four in the fourth range. Also, all the right the heirs of Thomas Gilman, deceased, had therein, in the right of their mother, to which right the following lots have been drawn, viz. : lots number thirteen in the fourth range, three in the sixth range, and half lot in number four in the fourth range. Also, all the right the heirs of the late Elizabeth Lovejoy, deceased, had therein ; to which right the following lots have been drawn, viz. : number seven and eight, in range number two, and numbers thirteen and fourteen, in range number three ; numbers eighteen and nineteen, in range number four ; number fourteen in the fifth range, and letter B. in the sixth range, subject however, to the settling duties, and the right of redemption, according to law ;

Therefore, resolved, For reasons set forth in said petition, that Thomas Haskins, Administrator of all and singular the goods and estate of said Francis A. Foxcraft, deceased, be, and he hereby is authorized and empowered to execute deeds of conveyance of said land, as follows, viz. : To Joseph E. Foxcraft, and his heirs and assigns, one undivided moiety or half part, and to Elizabeth Haskins, and her heirs and assigns, one undivided quarter part thereof ; and the deeds, so made and executed, shall be good and

valid in law to convey to the same, as fully as if the said Francis A. Foxcraft had made and executed the same in his life time.

CHAP. CCXXIII.

Resolve granting Jonathan Nelson $50. February 2d, 1819.

Resolved, That there be allowed and paid out of the treasury of this Commonwealth, to Jonathan Nelson, of Palermo, fifty dollars, in full for expenses and loss of time, occasioned by a wound received from the discharge of a musket, while on military duty.

CHAP. CCXXIV.

Resolve authorizing the Commissioners of the Land Office, to convey unto Benjamin Fiske and William S. Bridge, certain Lands. February 2d, 1819.

Resolved, That the Commissioners of the Land Office be, and they are hereby authorized and empowered, for such consideration, secured to the Commonwealth, as they shall judge reasonable, to sell and assign to Benjamin Fiske and William S. Bridge, of Boston, merchants, their heirs and assigns, all the Commonwealth's right, title and interest, in and unto two eleventh parts of the third and fourth quarters of township number three, commonly called the Old Town Purchase, one of the said elevenths being the same as conveyed by Salem Town, Esquire, as Agent for the Commonwealth, to John Putnam, and the other being one of said elevenths, as originally conveyed to Daniel Epes, by said Agent, and by said Epes to Jacob Chamberlain, both subject to certain reservations as expressed in said deeds: The Commonwealth's interest therein being derived from the said Putnam's and Epes' deeds of mortgage, made the twenty-second day of January, one thousand eight hundred and two.

CHAP. CCXXV.

Resolve directing the Secretary to deliver for the Adjutant General's Office, Term Reports and State Papers. February 2d, 1819.

Resolved, That the Secretary of this Commonwealth be, and he is hereby directed to deliver to the Adjutant General, to be deposited in his office for the use of his department, one set of the Massachusetts Term Reports, and one set of Waite's edition of State Papers; also, that he shall hereafter deliver to the Adjutant General, one copy of each additional volume of Reports and State Papers, which shall hereafter be printed.

CHAP. CCXXVI.

Resolve on petition of Ann Rudburg. February 4th, 1819.

On the petition of Ann Rudburg, of Boston, in the County of Suffolk, representing that her late husband, John N. Rudburg, died seized and possessed of certain real estate, consisting of a dwelling house and land, situated in Charlestown, in the County of Middlesex, which, by his death, without heirs, has escheated to the Commonwealth; and praying that the right of the Commonwealth to said estate may be released to the petitioner;

Resolved, That the prayer of said petition be so far granted, as to permit the said Ann Rudburg to retain possession of said house and land; and that she be, and is hereby authorized to use, let and manage said real estate, and to collect, and apply to her own use, all the proceeds thereof, from and after the decease of her said husband, in the same manner, and to all intents and purposes, as she might have done, provided she held said estate in her own right. Nothing in this resolve, however, shall be so construed, as to deprive the Commonwealth of their right to said real estate, at the decease of said petitioner.

CHAP. CCXXVII.

Resolve granting $100 *to Daniel Foster.*
February 5th, 1819.

On the petition of Daniel Foster, praying further allowance for building a bridge over Moose River,

Resolved, That there be allowed and paid to the said Daniel Foster, out of the treasury of this Commonwealth, the sum of one hundred dollars, in addition to the sum of five hundred dollars, paid him by the Commissioners of the Land Office, agreeably to their contract with said Foster, for erecting said bridge.

CHAP. CCXXVIII.

Resolve authorizing Tempe Lee to convey Real Estate.
February 4th, 1819.

On the petition of John Jones, praying that Tempe Lee, Administratrix on the estate of Silas Lee, late of Wiscasset, Esquire, may be authorized to convey certain real estate to him;

Resolved, For reasons set forth in said petition, that the said Tempe Lee be, and she is hereby authorized and empowered to convey to John Jones, of Augusta, and his heirs and assigns, forever, certain pieces of land, lying in Hallowell, on the east side of Kennebec River, being those parts of what is called the Wing Farm, which remained unsold by the said Lee, at the time of his death.

CHAP. CCXXIX.

Resolve on the petition of Ward Nicholas Boylston.
February 4th, 1819.

Resolved, That the Executor of Moses Gill be, and he hereby is authorized to deliver to Ward Nicholas Boylston,

two portraits, one of Nicholas Boylston, and the other of Mrs. Gill, wife of his late Honor Moses Gill, any thing in a receipt given for the same, under an order passed on the petition of the said Moses Gill, to the contrary notwithstanding.

CHAP. CCXXX.

Resolve in favor of Sandwich Academy.
February 4th, 1819.

On the petition of Ezra S. Goodwin and Elisha Pope, in behalf of the Trustees of Sandwich Academy, in the County of Barnstable, praying for an extension of the time for the location of a half township of land in the District of Maine, originally granted by this State to the said institution;

Resolved, For reasons set forth in their petition, that the right of location of a half township of land in the District of Maine, be extended to the Trustees of Sandwich Academy, the further term of one year from the passing of this resolve, under the same conditions, in all other respects, as expressed in the original grant from the Legislature, any act or resolve to the contrary notwithstanding.

CHAP. CCXXXI.

Resolve authorizing Hannah Dwight to convey Real Estate. February 4th, 1819.

On the petition of Hannah Dwight, Guardian of Elizabeth B. Dwight, a minor, and one of the children and heirs of Thomas Dwight, Esquire, late of Springfield, deceased, praying that she may be authorized to sell the interest of said Elizabeth in certain real estate of the deceased, viz.: a tract of land in the General Field, in

West Springfield, containing about thirty acres; a lot of improved land of about seventy acres, on the Plain, in Springfield; and also a house and other buildings, and part of the lot of land adjoining thereto, laying opposite the dwelling house of the deceased, for the payment of the debts of the said deceased;

Resolved, That for the reasons set forth in said petition, the said Hannah Dwight, Guardian, as aforesaid, and John Howard, Administrator on the estate of the deceased, be, and hereby are authorized to sell and convey, by sufficient deeds, the interest of said minor, in any or all the real estate aforesaid, either at public or private sale; *provided*, the other heirs of said deceased, also sell their shares and interest therein, and appropriate the proceeds of said sale to the payment of the just debts of the said deceased: *and provided, also*, the said petitioner and Administrator first give sufficient bonds to the Judge of Probate, of the County of Hampden, conditioned for the appropriating the proceeds of such sale of said minor's estate, above described, towards the payment of said debts: *and provided, also*, that said Hannah Dwight relinquish her right of dower in such of said lands, as may be sold by virtue of this resolve, and that she also, by writing filed in the Probate Office, in said county, relinquish her right to one third part of so much of the personal estate of the deceased, as the same shall be benefited by the sale of real estate, for the payment of the debts of said deceased, upon such terms as shall be ordered by the Judge of Probate, in said county, upon representation made to him thereof.

CHAP. CCXXXII.

Resolve in favor of Benjamin R. Nichols, for transcribing Plymouth Colony Records. February 5th, 1819.

Resolved, That there be paid out of the treasury of this Commonwealth, to Benjamin R. Nichols, the sum of seven hundred and fifty-two dollars and twenty-eight cents, in full, for repairing, arranging, indexing, and abstracting the Plymouth Colony Records, including expenses for paper,

binding and stationary, and on journies to Boston and Plymouth, on that subject, and of all services and expenses hitherto incurred, in relation to those records, by the said Nichols and his assistants. And his Excellency the Governor, with the advice of Council, is requested to issue a warrant on the treasury accordingly, for the payment of the said sum.

CHAP. CCXXXIII.

Resolve authorizing the Commissioners of the Land Office to extend the time for making a Road.
February 6th, 1819.

Resolved, That the Commissioners of the Land Office be, and hereby are authorized to extend the time for making the road, and fulfilling the engagements made by Daniel Webster and Ebenezer Weston, with Samuel Reddington and Moses Greenleaf, Esquires, Agents for the Commonwealth, May third, one thousand eight hundred and sixteen, until the first day of September next, if they shall judge it reasonable; and to make such an arrangement with the parties to said contract, as to the location, survey and conveyance of lands, in compensation for making said road, stipulated by said contract, as shall be found expedient, under all the circumstances of said undertaking, and the land therein referred to.

CHAP. CCXXXIV.

Resolve authorizing Israel Haynes to sell certain Real Estate. February 8th, 1819.

On the petition of Israel Haynes, of Sudbury, in the County of Middlesex, Guardian of Zebediah Maynard, of said Sudbury, a spendthrift, setting forth that it is neces-

sary to raise the sum of one thousand seven hundred and one dollars and ninety-two cents, for the payment of the just debts of the said Zebediah Maynard; that the real estate of said Zebediah Maynard is so situated, that no part thereof can be sold to raise that sum only, without greatly injuring the residue; but that the homestead of said Maynard, a certain lot, called the Brown Lot, and a pew, and stable, all situated in said Sudbury, can be sold together with convenience, and much to the benefit and advantage of said Maynard; Therefore,

Resolved, That the said Israel Haynes be, and he hereby is authorized and empowered to sell, at public vendue, to the highest bidder, the said homestead, Brown Lot, pew, and stable, of the said Zebediah Maynard, and to execute a deed, or deeds, of the same, which shall be valid and effectual in law to convey the same; he, the said Haynes, observing the rules and regulations prescribed by law, for the direction and government of Executors and Administrators in selling real estate for the payment of the debts of persons deceased: *Provided*, the said Haynes shall first give bonds to the Judge of Probate, for the County of Middlesex, with sufficient sureties, in such sum as he shall direct, that the money arising from said sale shall be appropriated for the payment of the just debts of said Maynard, and incidental charges; and the residue, if any, put out and secured on interest, for the benefit of said Maynard, and that he will account for the same, when thereunto lawfully required.

CHAP. CCXXXV.

Resolve on petition of Amherst Academy.
February 8th, 1819.

On the petition of the Trustees of Amherst Academy, praying for further time to locate the half township of land in the District of Maine, granted them by a resolve of the Legislature of this Commonwealth, passed on the eleventh day of December, in the year of our Lord one thousand eight hundred and sixteen;

Resolved, For reasons set forth in said petition, that a further time of one year, from and after the first day of June next, be allowed the said Trustees for locating said half township; any thing in the aforesaid resolve granting the same to them, to the contrary notwithstanding.

CHAP. CCXXXVI.

Resolve concerning Claims of the Commonwealth against the United States. February 8th, 1819.

The Committee to whom was referred the communication of the Honorable H. G. Otis, and the Honorable Prentiss Mellen, Senators in Congress, from Massachusetts, bearing date December twenty-second, one thousand eight hundred and eighteen, respecting the claim of the Commonwealth against the United States, respectfully report,

That a resolve was passed by the Legislature of the State on the twelfth of June, one thousand eight hundred and eighteen, in relation to the said claim, requesting his Excellency the Governor to cause to be delivered to the said Senators, or either of them, such accounts, documents, and papers, as may be necessary to support the claim of the Commonwealth against the United States, for the use of the Senators and Representatives in Congress from this State; and that the said Senators be instructed, and the Representatives requested to attend to, and prosecute the said claim, and to use their best endeavors that a fair and equitable adjustment thereof may be speedily obtained.

That the Committee, after having attentively considered the communication referred to them, from the said Senators, and the resolve aforesaid, rely on the good judgment and discretion of the delegation from the State, and their zeal for its interest, that the claim will be duly presented to Congress, and its merits developed with equal frankness and ability. And the Committee also, reposing on the wisdom and liberality of the general government, cannot but trust, that when the principles and details of the claim are fully and impartially examined, such decision will be had thereon, as will comport with the soundest principles of

justice and equity, and with the best and most permanent interests of the United States, and of this State.

Under these impressions, and from a recurrence to the resolve aforesaid, of the present General Court, which remains still in force, and is believed fully to express the wishes of the Legislature, that the claim should be promptly considered and speedily adjusted, the Committee deem it necessary at this time, only further to recommend the adoption of the following resolution:

Resolved, That the Secretary of the Commonwealth be directed, on application from the Senators of this State, in Congress, or either of them, to forward forthwith, all documents or papers connected with the claim of the Commonwealth against the United States, which may now remain in any department of this government, and may be requested for the use of the delegation from the State, for the purpose of obtaining a decision on the claim aforesaid; and that the Secretary be directed to forward a copy of this resolution to the Honorable the Senators from this State, in the Congress of the United States.

CHAP. CCXXXVII.

Resolve on petition of the Selectmen of East Andover.
February 8th, 1819.

On the representation of the Selectmen of East Andover, and the memorial of Thomas Bond, and others,

Resolved, That the Commissioners of the Land Office be, and they hereby are authorized and directed to sell and convey in fee, within one year from the passing this resolve, in such way and manner, and for such consideration as they may think fit, all the tract or parcel of land, which is called the East Andover Surplus, in the County of Oxford; and to pay over the proceeds of such sale, into the treasury of the Commonwealth.

CHAP. CCXXXVIII.

Resolve on the petition of Sarah Cobb.
February 8th, 1819.

Resolved, For reasons set forth in the said petition, that all the right, title, and interest, which the Commonwealth has, or might have, in and to a certain parcel of land, with the buildings thereon, situate in Leverett Street, in Boston, and bounded south-easterly on said street, forty feet; south-westerly on land of Joseph Russell, ninety feet; north-westerly on said Russell's land, and north-easterly on land of John Gillis, ninety feet; with the privileges and appurtenances thereunto belonging; which real estate the said Cobb purchased of Joseph Russell, of said Boston, during his life time, and after his marriage with the said Sarah, and of which said John Cobb died seized. And the same is hereby granted and released to the said Sarah Cobb, and to her heirs and assigns forever: *Provided, however,* that the same shall be held subject to the payment of the just debts of the said John Cobb, in case his personal estate shall be insufficient therefor, in the same manner as real estates of persons deceased, are holden and subject by the laws of this Commonwealth.

CHAP. CCXXXIX.

Resolve in favor of Jonathan Hunewell.
February 8th, 1819.

The Committee of both Houses, who had under consideration the communication of his Excellency the Governor, respecting certain repairs on the State House, ask leave to report the following resolve, which is submitted.

JOHN HART, *Per Order.*

Resolved, That there be allowed and paid out of the treasury of this Commonwealth to the Agent, appointed by the Governor and Council, to make certain repairs on the

State House, six hundred and thirty dollars and forty-four cents, being the balance due on the accounts for said repairs.

CHAP. CCXL.

Resolve on petition of Selectmen of Greenwood.
February 10th, 1819.

On the petition of the Selectmen of the town of Greenwood, in the County of Oxford, stating, that there has been some illegality in the proceedings of said town, by reason of their Assessors not having posted up a list of voters for the choice of town officers, at the time the law requires; and, also, that the town passed a vote to raise money at a meeting, wherein the warrant calling said meeting, did not expressly warn any, but such as were qualified to vote for state officers, praying that the doings of said town may be confirmed and made valid;

Resolved. For reasons set forth in said petition, that the doings of said town in the premises, prior to the nineteenth day of May last, be, and hereby are confirmed, and made valid in law to all intents and purposes, notwithstanding certain irregularities therein, as above expressed.

CHAP. CCXLI.

Resolve confirming the Records of the town of Freeman.
February 10th, 1819.

On the petition of the town of Freeman, praying for a confirmation of their town records,

Resolved, For the reasons stated in their petition, that the records of the said town of Freeman, in the cases specified in their petition, shall be, and hereby are confirmed and made valid in all respects, in the same manner as they would have been, if the seal and signature of the

Town Clerk had not been omitted, and a record of the oaths of town officers, and the dissolving of town meetings had been made, and the errors in tax for the school districts in eighteen hundred and fourteen notwithstanding.

CHAP. CCXLII.

Resolve for County Taxes. February 10th, 1819.

Whereas the Treasurers of the following counties have laid their accounts before the Legislature, which accounts have been examined and allowed; and whereas the Clerks of the Courts of Sessions, for said counties, have exhibited estimates made by said Courts, of the necessary charges which may arise within the said several counties, for the year ensuing, and of the sums necessary to discharge the debts of said counties;

Resolved, That the sums annexed to the several counties, contained in the following schedule, be, and the same are hereby granted as a tax for each county, respectively, to be apportioned, assessed, paid, collected, and applied, for the purposes aforesaid, according to law.

County of Middlesex, ten thousand dollars,	$10,000	
" of Essex, ten thousand dollars,	10,000	
" of Somerset, three thousand dollars,	3,000	
" of Lincoln, five thousand five hundred dollars,	5,500	
" of Franklin, three thousand two hundred dollars,	3,200	
" of Barnstable, one thousand two hundred dollars,	1,200	
" of Washington, one thousand eight hundred dollars,	1,800	
" of Norfolk, nine thousand dollars,	9,000	
" of Penobscot, four thousand seven hundred dollars,	4,700	
" of Cumberland, five thousand seven hundred and twenty dollars,	5,720	
" of Hampden, three thousand five hundred dollars,	3,500	
" of York, three thousand five hundred dollars,	3,500	
" of Hampshire, four thousand dollars,	4,000	
" of Kennebec, four thousand six hundred and fourteen dollars and eight cents,	4,614	08
" of Berkshire, five thousand dollars,	5,000	
" of Plymouth, eight thousand dollars,	8,000	
" of Worcester, fourteen thousand two hundred dollars,	14,200	
" of Bristol, eleven thousand dollars,	11,000	
" of Oxford, three thousand five hundred dollars,	3,500	
" of Hancock, seven thousand dollars,	7,000	

CHAP. CCXLIII.

Resolve on petition of Essex Bank. February 10th, 1819.

On the petition of the President, Directors, and Company of Essex Bank, setting forth that said corporation has ceased to act as a banking corporation;

Resolved, That the President, Directors, and Company of Essex Bank, be, and they hereby are discharged from the payment of any bank tax now due, and also from the payment of any such tax in future, and also from making any return to the Governor and Council in the month of June next.

CHAP. CCXLIV.

Resolve to furnish the town of Eastport with Laws and Term Reports. February 11th, 1819.

Resolved, For the reasons set forth in the petition of the Agent for the inhabitants of the town of Eastport, that the Secretary of the Commonwealth be authorized to deliver to the said town, as many volumes of the Laws and Term Reports as were taken or destroyed by the British, while they were in possession of said town.

CHAP. CCXLV.

Resolve appointing a Committee for examining the proceedings of the Agricultural Bank, in Pittsfield. February 11th, 1819.

The Committee of both Houses, appointed to inquire into the expediency of raising a Committee to investigate the transactions of the Agricultural Bank, at Pittsfield, in the

County of Berkshire, have attended that service, and ask leave to report a state of facts :

On the twentieth of February, one thousand eight hundred and eighteen, a charter was granted to Nathan Willis, and others therein named, to establish a bank in the town of Pittsfield, with a capital of one hundred thousand dollars, payable in three instalments ; which sum was to be loaned and negociated on banking principles, subject to the usual restrictions, and the further restriction, that no stockholder should be allowed to borrow at said bank, until he should have paid in his full proportion of said instalments. On the twelfth of June next following, an additional act was passed, prolonging the time for paying the instalments, and directing payment of the first instalment on or before the first September, one thousand eight hundred and eighteen ; the payment of the second instalment on or before the first January, one thousand eight hundred and nineteen ; and the payment of the third instalment on or before the first April, next following. After the charter was obtained, subscription papers were opened in Pittsfield, and kept open three weeks, during which time a sum equal to one-tenth part of the capital stock was subscribed ; the remaining nine-tenths were then offered to certain persons in Boston, who engaged to take them, on the condition that they should have control of the bank, and manage its concerns. At the annual meeting of Stockholders, such persons were chosen Directors, as the Boston stockholders designated. The first instalment being then due, forty-five thousand dollars in specie, which was the sum payable on the shares owned in Boston, was placed in the vaults of the bank, but in the confident expectation that it should be repaid by a loan to the Boston stockholders. Accordingly, on the following day, thirty-two thousand of the same specie was taken back as a loan, for which, notes in the common form, but without endorsers, were given, and shares were pledged as security ; eight thousand dollars more of the same specie was exchanged for a draft on New York, and forty-five thousand in bills, signed by Thomas Gold, as President of said bank, were placed in the hands of two of the Boston stockholders, as Agents of said bank, to be employed by them at Boston, in purchasing promissory notes of individuals, and other ways to be used at their discretion, but for the benefit of said bank.

On the first January, one thousand eight hundred and nineteen, the second instalment became due, when nine tenths of the amount was placed in the Suffolk Bank, in Boston, instead of the Bank at Pittsfield, as required by the charter; on the ninth of the same month, nine tenths of the third instalment was also placed in the Suffolk Bank. From both these payments, the same accommodation was granted to Boston stockholders, notes were given for the amount loaned, and shares were pledged as security.

It was acknowledged by the gentlemen who appeared before the Committee, in behalf of the bank, that no part of the capital stock had been loaned on bond and mortgage, although many applications had been made for the same, and but a small amount upon notes, in the common form, to the inhabitants of the county where the bank is located.

It also satisfactorily appeared, that but few of those who petitioned for the establishment of the bank, and whose names were inserted in the charter, have ever been stockholders. This fact, with the manner in which the whole business of the bank has been conducted, authorizes the belief that the holders of a majority of shares, always intended that the capital should be employed in Boston, and not for the benefit of the citizens of the County of Berkshire.

It was earnestly contended by the Agents of the bank, that the act of incorporation imposed no obligation to transact the business of the bank in Pittsfield, and that they have a right to loan and negociate their monies in any manner, and at any place, where it would be most for their advantage. This opinion the Committee deem incorrect. It is their belief, that by locating a monied institution in one section of the Commonwealth, rather than another, the Legislature intended to promote the interests of that particular section, by supplying a fund to facilitate business, encourage enterprize, and reward honest industry, and not to enrich individuals, by aiding speculation.

From the foregoing statement of facts, and the view thus taken of them, the Committee are of opinion that a further inquiry ought to be made into the doings of said bank; they therefore recommend an adoption of the following resolve. All which is respectfully submmitted, by your Committee. DANIEL WALDO, *Chairman.*

Resolved, That the Honorable Mr. Noble, of the Senate, and Messieurs Rantoul, of Beverly, and Parrot, of Gloucester, members of the House, be a Committee to examine the doings of the Agricultural Bank, at Pittsfield, with power to send for books and papers, and to examine the Directors and Cashier of said bank, and also such other persons as may be necessary; and that the Committee make a report of their doings, at the present session of the Legislature, if practicable; if not, at the first session of the next General Court.

CHAP. CCXLVI.

Resolve on petition of the inhabitants of Fairhaven.
February 12th, 1819.

Resolved, That there be paid to the Treasurer of the town of Fairhaven, for the benefit of the inhabitants of said town, the sum of three hundred and eighty-one dollars and seventy-nine cents, in full for expenses incurred by said town in erecting barracks for the militia of this Commonwealth, which were duly ordered and stationed in the vicinity of said town, for its defence, in the late war.

Resolved, That his Excellency the Governor be, and he is hereby requested to draw his warrant on the Treasurer of this Commonwealth, for the aforesaid sum.

CHAP. CCXLVII.

Resolve for a Tax for the County of Suffolk.
February 12th, 1819.

On the estimate made by the Court of Sessions for the County of Suffolk, and the account of the Treasurer, accompanying the same, representing the amount of charges which may arise in said county, for the year ensuing, and

the sum necessary to discharge the debts of said county; and the memorial of the said Court, that a tax, of sixteen thousand dollars may be granted for the use of said county;

Resolved, That the sum of sixteen thousand dollars be, and the same is hereby granted, as a tax, for the County of Suffolk, to be apportioned, assessed, paid, collected, and applied, for the aforesaid purposes, according to law.

CHAP. CCXLVIII.

Resolve making valid certain Marriages.
February 12th, 1819.

Whereas, sundry marriages have been solemnized in this Commonwealth, by Eliphalet Smith, Lemuel Jackson, Elias Nelson, and Comfort Smith, all Elders and Teachers in the Baptist Church; and by Philip Ayer, and Gilman Moody, Teachers in the Methodist Society; and doubts are entertained whether such marriages, thus solemnized, are valid in law; and divers petitions have been presented to this Legislature, to legalize and make valid the same; Therefore,

Resolved, That all marriages, solemnized in this Commonwealth, by the said Eliphalet Smith, Lemuel Jackson, Elias Nelson, and Comfort Smith; and also by the said Philip Ayer, and Gilman Moody, in their said offices, respectively, be, and they hereby are made valid in law, to all intents and purposes; any statute of this Commonwealth to the contrary notwithstanding.

Resolved, also, That the issue of each and all of such marriages, solemnized as aforesaid, be, and they hereby are made capable in law, of inheriting, in the same way and manner, as though each, and every of such marriages, were originally solemnized, according to law.

CHAP. CCXLIX.

Resolve on the petition of the inhabitants of the town of Natick. February 13th, 1819.

On the petition of the inhabitants of the town of Natick,

Resolved, For reasons set forth in said petition, that John Atkins and Samuel Fisk, of said Natick, Guardians of the Natick tribe of Indians, be, and hereby are authorized and directed to expend and appropriate, under the direction of the Overseers of the Poor of said town, all or any part of the funds in their hands, belonging to said tribe, or any one thereof, except so much of said funds as belong to Hannah Brown, one of said tribe, for the future support and maintenance of any of said tribe, who may hereafter fall into distress, and stand in need of relief; and a certificate, under the hands of said Overseers, of the expenditure and appropriation of said funds as aforesaid, shall be a sufficient voucher for said Guardians, in the settlement of their accounts, as such.

Resolved, further, That said Guardians be, and hereby are authorized to take and receive the rents and profits, for a term not exceeding two years, from the first day of April next, of any lands, in said town of Natick, which belong to said tribe, or any one of them; *provided*, such lands are not occupied and possessed by any of said tribe not having title thereto; and the said Guardians are hereby authorized and directed to expend and appropriate the rents and profits aforesaid, so received, for the purpose aforesaid.

CHAP. CCL.

Resolve confirming the sale of Land belonging to Herring Pond Indians. February 15th, 1819.

Upon the petition of Joshua Thomas, one of the Overseers of the Herring Pond tribe of Indians, praying that the sale of two pieces of land to John N. Conet and

Barnabas Ellis, made by the said Joshua Thomas and Ephraim Spooner, Esquire, deceased, in their capacity of Overseers of said Indians, dated August seventh, one thousand eight hundred and seventeen, may be confirmed;

Resolved, For reasons set forth in said petition, that the said sale of the said two pieces of land, as set forth in said petition, be, and the same is hereby confirmed and rendered valid, to all intents and purposes, any supposed defect or informality in the manner of said sale to the contrary notwithstanding.

CHAP. CCLI.

Resolve on petition of Stephen Chase.
February 15th, 1819.

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the treasury of this Commonwealth, to Stephen Chase, Esquire, in full compensation for his services and disbursements to the Commonwealth, in the information against Joseph Howard, the sum of one hundred dollars; and that his Excellency the Governor be requested to draw his warrant upon the Treasurer for said sum; *provided*, the sum granted by this resolve, be in full compensation for all claims which the said Stephen Chase may have on this Commonwealth, for any part of the sum recovered in the aforesaid information against said Joseph Howard.

CHAP. CCLII.

Resolve on petition of Trustees of Williams College.
February 15th, 1819.

Resolved, That the further time of one year, from the first day of June next, be, and hereby is allowed to the Trustees of said College, to locate said township, and the

Commissioners of the Land Office be, and hereby are directed to govern themselves accordingly: *Provided, however,* and it is expressly to be understood, that the settling duties, as required to be performed by the resolve first mentioned, be, and the same are extended and limited to the term of three years from the first day of June next, and no longer; and that a failure in the performance of said settling duties within the time last mentioned and prescribed, shall so operate as to vacate the extension of time for the location of said townships, herein provided.

CHAP. CCLIII.

Resolve for examining what British Statutes have been adopted in this Commonwealth. February 15th, 1819.

The Committee of both Houses, appointed to consider the expediency of collecting into a volume those Parliamentary statutes, and parts of such statutes, which have been adopted as laws within this Commonwealth, have deliberately investigated the subject, and ask leave to report,

That the juridical system, from the earliest settlement of our government, has been the particular object of public concern, and has, in latter years, been greatly improved. But it is believed, that it still is far from possessing the attribute of perfection. Our laws, like our language, originate from several sources; a part is derivative from the mother country of our ancestors, and a part consists in the numerous enactments of our Legislatures. By our State constitution, "all the laws which have heretofore been adopted, used, and approved in the Colony, Province, or State of Massachusetts Bay, and usually practised on in the Courts of Law, shall remain, and be in full force, until altered or repealed by the Legislature." It is universally believed, that sundry laws, to which this paragraph alludes, are British statutes, and parts of those statutes, which, from immemorial usage, constitute a part of our common law. Thus from long and invariable practice, they have become incorporated into our system of jurisprudence, and deserve the utmost consideration of the whole people. An inquiry

as to which, and how many of them, our country and its Courts have adopted, is at this time no novelty. A Committee was appointed, by a resolve of the General Court, passed February twenty-eighth, one thousand seven hundred and ninety-nine, whose duty it was, among other things, to prepare for publication, in a new edition of our statutes, then contemplated, such British statutes and parts of statutes, adopted and practised upon in this State, as they might judge proper.

The demand for the edition was so great, and its publication so much hastened, that the Committee appointed had not sufficient time to select and prepare the British statutes mentioned; and the subsequent decease of one, and the avocations of the others of the Committee, occasioned this part of their commission to remain unfinished.

Your Committee find that this investigation has been made in four of the other States, under Legislative authority, viz.: in New York, Virginia, Pennsylvania, and Maryland, and that considerable benefit has been thus derived to the respective States. The Legislature of Pennsylvania appointed the four Judges of its Supreme Court to ascertain which of the British statutes had been adopted in that State, and how many of them ought to be reenacted. On the fourteenth of December, A. D. one thousand eight hundred and eight, they made their report, detailing the titles of nearly two hundred British statutes, or parts of statutes, as the aggregate of those adopted by that Commonwealth. Men learned in the law, have denominated this a very important document, and have said, that a safer guide in practice cannot be wanted. The Legislature of Maryland has imposed a similar task on the Chancellor of the State, who is reputed to have executed the trust with great ability.

Your Committee, aware that Massachusetts has never been behind any of her sister States in enterprizes and projects of public utility, now cherish a sanguine belief, that her Legislature will pay due and immediate regard to the important subject under consideration. As some particulars, which would evidently be helps in the accomplishment of this object, are recorded only in the note books, or the recollections of Judges and gentlemen of the law, venerable for their years and learning, and will soon be lost; it is thought by your Committee, that the present is the proper time to authorize a further investigation of this subject;

they therefore submit the following resolve for consideration and adoption.

WM. D. WILLIAMSON, *Chairman.*

Resolved, That the Judges of the Supreme Judicial Court of this Commonwealth be, and they are hereby constituted a Committee to examine and report, as soon as consistent with their official duties and personal convenience, what British statutes and parts of such statutes have been adopted, and usually practised upon within this State.

CHAP. CCLIV.

Resolve directing process against the Dedham Bank.
February 16th, 1819.

The Committee, appointed by the Legislature, on the subject of banks, to whom was referred the petition of Samuel Bass King, praying that inquiry be made into the conduct of the Dedham Bank, and "that the Attorney or Solicitor General be directed, by this General Court, to institute process in the nature of quo warranto, to determine whether the President, Directors and Company of said bank, have not forfeited their charter," ask leave to report the following facts:

That the said bank was incorporated the twenty-sixth of February, eighteen hundred and fourteen, with the privileges common to the other banks in this Commonwealth, with a capital stock of one hundred thousand dollars; and that soon after the granting of said charter, the said bank went into operation; and on the twentieth day of August, one thousand eight hundred and sixteen, issued a large quantity of bills, notes, checks, or draughts, payable to bearer, drawn on the Cashier of the bank, at Middletown, in the State of Connecticut, the amount of which are to the Committee unknown: That the said bills or draughts, payable, as aforesaid, continue to pass and circulate, as the bills of other banks, within and without this Commonwealth: That the course of this measure soon arrested the

attention of this Commonwealth, and, on the thirteenth day of December, one thousand eight hundred and sixteen, a law was passed, prohibiting the several banks, within this Commonwealth, from issuing any bill, note, check, or draught, of one hundred dollars, or less, payable at any place, other than at the bank issuing the same, unless the same shall also, on the face thereof, be payable at the bank from which it was issued; and likewise that any bill, note, check, or draught, payable at any other place than that at which the said bank is kept, and which had been put in circulation prior to the passing of said act, may be presented, and payment demanded at the bank issuing the same, without previous demand at the place where the same is on the face thereof payable; and that if the bank, which issued the same, shall neglect or refuse to pay the same to the holder thereof, when demanded, it shall be liable to pay the same penalties as are provided by the act, entitled, "An act to enforce the payment of bank notes."

It further appeared to your Committee, from the Cashier of said bank, that of the whole amount of bills in circulation, issued by the said Dedham Bank, four fifths, at least, are payable at Middletown; that the bills or draughts payable at Middletown, are, at the banks in Boston, at one per cent. discount; while those payable at the bank in Dedham, are only half per cent. discount; and that said bank employs an Agent to take up the bills issued by said bank, at the New England, and other banks in Boston, those payable at Middletown bank, at one per cent. discount; which Agent, instead of returning said bills to the bank, in Dedham. immediately puts them again in circulation; and the like course is pursued at the Middletown Bank, with all the bills which are there presented for payment; the operation of which practice is, that the bills, or draughts, issued by the said bank, payable at Middletown, can never get out of circulation, unless presented by the holders at the bank in Dedham, and are there paid. It likewise appeared to your Committee, by the confession of the Cashier, that all the bills or draughts, drawn by the Dedham Bank on the Cashier of the Middletown Bank, which are, or have been paid at the Dedham Bank, are taken at one per cent. discount. And, upon this subject, your Committee would further report, that it appeared that the said Samuel Bass King was the holder of about six

thousand dollars of bills, or draughts, of the said Dedham Bank, payable at Middletown, two thousand dollars of which the said King had, since the date of the above mentioned act, of the thirteenth of December, one thousand eight hundred and sixteen, presented for payment at the bank in Dedham, which was refused, and a suit at law by him commenced, for the amount of the bills, of which payment had been demanded and refused.

Whether any of the bills, or draughts, of said bank, payable at Middletown, have been issued or put in circulation by the Officers of the bank at Dedham, or their Agents at that place, since the said thirteenth of December, one thousand eight hundred and sixteen, your Committee will not positively undertake to decide; although they are inclined to the opinion that such has been the practice, inasmuch as the Cashier would not decidedly negative the fact. It was pretended by the Agent of said bank, that the bills or draughts issued by them, payable at Middletown, was for the purpose of drawing home a fund, which said bank had at Middletown, although in another part of the evidence, it did appear to your Committee that few, or none of the bills, redeemed at the Middletown Bank, were, after their redemption, returned home to the Dedham Bank.

Your Committee would further remark, that since the examination, which took place in June last, on the petition of the said Samuel Bass King, they have seen in circulation bills, or draughts, issued by the said Dedham Bank, payable at the Middletown Bank, of the denomination of one hundred and one dollars, which are dated the sixth of April, one thousand eight hundred and eighteen, the apparent design of which is to elude the wholesome provisions of the aforesaid act of the thirteenth of December, one thousand eight hundred and sixteen, which, among other things provides, that nothing contained in that act, shall extend to any check or draught drawn by the President, or Cashier of any bank within this Commonwealth, on any other bank within or without this Commonwealth, for any sum exceeding one hundred dollars. The last mentioned bills, or draughts, are in form precisely like the other bills, or draughts, of said bank, payable at the Middletown Bank. This additional fact furnishes further evidence of the disposition of the Dedham Bank to continue a course of measures, contrary to what your Committee deem the true spirit

of the charter of said bank. Your Committee would, therefore, recommend the adoption of the following resolution, which is submitted.

J. HUNEWELL, *Per Order.*

Resolved, That the Attorney, or Solicitor General, cause to be instituted process, in the nature of quo warranto, against the President, Directors, and Company of the Dedham Bank, for the purpose of determining whether they have not forfeited their act of incorporation.

CHAP. CCLV.

Resolve authorizing the Commissioners of the Land Office to convey Lot No. 8, &c. to Moses Hodsdon.
February 17th, 1819.

On the petition of the Selectmen of Levant, in the County of Penobscot, praying that a conveyance of three hundred and twenty acres of reserved lands in said town, may be made to Moses Hodsdon, Esquire, in consideration of his having built a bridge therein, pursuant to a resolve of the General Court, passed December thirteenth, one thousand eight hundred and sixteen;

Resolved, That the Commissioners of the Land Office be, and they are hereby authorized and directed to convey by deed to said Moses Hodsdon, all the Commonwealth's right, title, and interest in and to, lot numbered eight, in the fifth range, and so much of lot numbered one, in the eleventh range of lots and ranges in said town, as will in the whole comprise three hundred and twenty acres, strict regard being had to the location of said lots, as approved and sanctioned by the Circuit Court of Common Pleas, at their term holden in January now last past, at Bangor, in the County of Penobscot.

CHAP. CCLVI.

Resolve authorizing Edward Mitchell, Junior, to sell Land belonging to Indians. February 17th, 1819.

On the petition of Edward Mitchell, Junior, of Bridgewater, in the County of Plymouth, praying that he may be authorized to make sale of a certain piece of land in said Bridgewater;

Resolved, That for reasons set forth in said petition, the said Edward Mitchell, Junior, in his capacity as Guardian over all the Indians residing in Bridgewater, in the County of Plymouth, or owning land therein, be, and he hereby is authorized to sell at public auction, a certain piece of land, situated in said Bridgewater, and near Robins' Pond, so called, containing about thirteen acres, belonging to the estate of Josiah James, an Indian, late of said Bridgewater, deceased, and which was lately set off to one Hannah James, as heir to said Josiah; and to make and execute good and sufficient deed or deeds to the purchaser or purchasers, which shall be good and valid in law; and out of the proceeds of said sale, to discharge a certain debt of one hundred and twenty dollars due from the estate of said Josiah James, to him the said Mitchell, and that he appropriate the remainder to the use and benefit of the said Hannah James, in his said capacity of Guardian; he, the said Edward Mitchell, Junior, first giving bonds to the Judge of Probate for the County of Plymouth, for his faithful performance of his duty and trust aforesaid, and to account to the said Judge of Probate; also giving notice of the time and place of sale, in the same way and manner as is prescribed by law for Administrators and Executors, to make sale of the real estate of deceased persons.

CHAP. CCLVII.

Resolve authorizing the Commissioners of the Land Office to settle with Seth Spring. February 17th, 1819.

Resolved, That the Commissioners of the Land Office be, and they hereby are authorized to settle with Seth Spring, and to pay him the amount of such sums of money as he has paid into the treasury of the Commonwealth for a tract of land, which was considered as the surplus of Prescott's Grant, so called, with interest on the same from the time of such payment to the Commonwealth; and also such further sum, as, to the said Commissioners, upon examination into the circumstances of the case, shall seem just and proper, for expenses and damages incurred by him, in defending in any Courts of Law, the title which he may have derived from the Commonwealth: *Provided, however,* that before any payment shall be made to said Spring, he shall make and execute to the Commonwealth, such release, discharge, and acquittance, as the said Commissioners shall prescribe; *and provided, also,* that before the said Commissioners shall make the examination herein before provided, the said Spring shall agree to submit his claim to them, and to be bound by their decision of the same; *and provided, also,* that the said Spring shall, within thirty days after passing this resolve, signify, in writing, to the Commissioners, his assent and agreement to the provisions of the same.

Resolved, That his Excellency the Governor be, and he hereby is authorized to draw his warrant on the treasury for such sum of money as may be necessary to carry the foregoing resolution into effect.

CHAP. CCLVIII.

Resolve relative to Leonard Jarvis. February 17th, 1819.

Resolved, That the Commissioners of the Land Office be, and they hereby are authorized and empowered to accept and receive from the widow, heirs, and legal representatives of Leonard Jarvis, late of Surry, in the County of Hancock, Esquire, deceased, and all other persons interested, such conveyances and releases to the Commonwealth, of all their right, title, and interest, to the lands described in said deceased's deed of mortgage, made to the Commonwealth, February fourth, one thousand eight hundred and one, whether derived from him, as heirs, or obtained otherwise, either jointly or individually, and procure a regular conveyance of the eighth part of said described premises, conveyed by the mortgagor to Philip Jarvis, so as to complete the Commonwealth's title thereto; and shall surrender and deliver up to said Commissioners, all the evidence of the said deceased's title or claim to said lands, or any part of the same, in their power, and shall pay said Commissioners, for the use of the Commonwealth, a fair and just consideration for all timber, which they, or said deceased, while in full life, have permitted to be cut on said mortgaged premises, within five years last past. And upon the performance thereof, said Commissioners shall take possession of the whole lands aforementioned, in behalf of said Commonwealth, and certify the facts to the Treasurer of the Commonwealth, who shall thereupon endorse on the judgment rendered on said notes against Leonard Jarvis, deceased, or on the execution sued out thereon, that the same judgment or execution is satisfied, by accepting the lands mentioned in the said mortgage, and by the conveyances, releases, and payments for cutting timber, as herein previously mentioned.

And be it further resolved, That the Commissioners of the Land Office be, and they hereby are empowered and directed to receive and adjust the claims and possession of all persons to any part of said mortgaged lands, which said Commonwealth shall derive title to, by force of any release or conveyance made pursuant to these resolves, upon such terms and conditions as they shall judge reasonable, after

a full examination of the circumstances of each claim; and to make and execute releases of the Commonwealth's title to parts thereof, to any persons whose claims thereto they shall sanction; and to make sale of the residue of said lands, in such parcels, and upon such terms and conditions as they shall judge most for the interest of the Commonwealth. And said Commissioners are authorized and directed to take any measures that may be necessary for partition of any part of said premises, or to perfect the Commonwealth's title thereto, that in the progress of their duty may be found necessary.

And be it further resolved, That the report of George Herbert, Esquire, Agent for the Commonwealth, for the aforesaid lands, with all the documents accompanying the same, be lodged in the Land Office.

CHAP. CCLIX.

Resolve to pay the Preacher of the Election Sermon. February 18th, 1819.

Resolved, That there shall be allowed and paid out of the treasury of this Commonwealth, to the gentleman who shall preach the election sermon, in May next, fifty dollars; and that his Excellency the Governor be authorized to draw his warrant on the Treasurer for said sum.

CHAP. CCLX.

Resolve granting the Commonwealth's right to certain property, to Ruth Kirbey. February 18th, 1819.

The Committee of both Houses, to whom was referred the petition of Ruth Kirbey, praying that there may be relinquished to her, certain property which escheated to the Commonwealth, have had the same under consideration,

and ask leave to report, by way of resolve. All which is respectfully submitted.

J. B. VARNUM, *Chairman.*

Resolved, For reasons set forth in said petition, that all the right, title and interest, which the Commonwealth has, or might have, in and to the personal estate of John Hunt, lately resident of Boston, in said Commonwealth, mariner, deceased, remaining in the hands and possession of Ebenezer Hawkes, of Saugus, in the County of Essex, Administrator of said Hunt's estate, said Hunt having died intestate, leaving no heirs at law, be, and the same is hereby granted and released to said Ruth Kirbey; and said Administrator is hereby authorized and directed to vest said personal estate, the just debts of said Hunt being first paid, in such manner as shall be directed by the Judge of Probate, for the County of Essex, to be applied to the support of said Ruth, during her life, and the residue, if any, at her decease, to go to her heirs.

CHAP. CCLXI.

Resolve granting Compensation and Pensions to certain wounded and sick Soldiers. February 18th, 1819.

The Committee of both Houses, to whom was referred the petition of William Ramsdell, David Sevey, Israel Town, James Varney, and James Soule, praying that they may receive compensation for expenses incurred by sickness and wounds, received while on military duty, have had the same under consideration, and ask leave to report the following resolve, which is respectfully submitted, by order of the Committee.

JONATHAN HUNEWELL, *Per Order.*

Resolved, That there be allowed and paid out of the treasury of this Commonwealth, to Martin Wheelock, of Gardner, County of Worcester, eighty dollars, in full compensation for expenses incurred by a wound he received, while on military duty; and also, the further sum of forty

dollars a year, for three years, should he live so long. Also, to William E. Ramsdell, of Lynn, for a wound he received, while on military duty, the sum of thirty-five dollars, in full. Also, to David Sevey, of Machias, the sum of fifty dollars, in full, for his sufferings. Also, to Israel Town, a soldier in the artillery, belonging to the first brigade, and fourth division of the militia, fifty dollars, in full of all claims for injury received. Also, to James Varney, of Eliot, in the County of York, for expenses incurred by sickness, while doing duty as a soldier, at Kittery Point, the sum of twenty-four dollars, the same to be in full. Also, to James Soule, a soldier in a rifle company, commanded by Captain Benjamin King, of the third regiment, first brigade, fifth division of militia, for a wound he received, while on military duty, the sum of forty dollars, in full for cost and suffering he received. Also, to David Thompson, a pensioner, for the loss of his left arm, in the old French war, fifteen dollars per year, in addition to sixty dollars, now allowed him per year, during life.

CHAP. CCLXII.

Resolve relative to Amendment to the Constitution of the United States. February 18th, 1819.

Whereas, the Legislatures of several States in the Union have proposed an amendment to the constitution of the United States, in the words following, viz. :

"That for the purpose of choosing Representatives in the Congress of the United States, each State shall, by its Legislature, be divided into a number of districts, equal to the number of Representatives to which such State may be entitled. The districts shall be formed of contiguous territory, and contain, as nearly as may be, an equal number of inhabitants, entitled by the constitution to be represented. In each district, the qualified voters shall elect one Representative, and no more. That for the purpose of appointing Electors for the President and Vice President of the United States, in each district, entitled to elect a Representative in the Congress of the United States, the

persons qualified to vote for Representatives, shall appoint one Elector, and no more. The additional two Electors, to which each State is entitled, shall be appointed in such manner as the Legislature thereof may direct.

"The Electors, when convened, shall have power, in case any of them, appointed as above prescribed, shall fail to attend for the purposes of their said appointment, on the day prescribed, for giving their votes for President and Vice President of the United States, to appoint another, or others, to act in the place of him or them, so failing to attend.

"Neither the districts for choosing Representatives, nor those for appointing Electors, shall be altered in any State, until a census, and apportionment of Representatives under it, subsequent to the division of the States into districts, shall be made. The division of States into districts, hereby provided for, shall take place immediately after this amendment shall be adopted and ratified, as a part of the constitution of the United States; and successively, immediately afterwards, whenever a census and apportionment of Representatives under it, shall be made. The division of each State into districts, for the purposes, both of choosing Representatives, and of appointing Electors, shall be altered agreeable to the provisions of this amendment, and on no other occasion."

Resolved, That the amendment, proposed as aforesaid, should it become a part of the constitution of the United States, will be salutary in its operation; and that our Senators in the Congress of the United States be instructed, and our Representatives requested, to use their endeavors to effect such amendment.

Resolved, That his Excellency the Governor be requested to forward a copy of the preceding resolution, to each of our Senators and Representatives in the Congress of the United States.

CHAP. CCLXIII.

Resolve for paying Chaplains. February 19th, 1819.

Resolved, That there be allowed and paid out of the treasury of this Commonwealth, to the Reverend Henry Ware, Junior, Chaplain of the Senate, and to the Reverend Doctor Thomas Baldwin, Chaplain of the House of Representatives, sixty dollars each, in full for their services in said offices, the present year.

CHAP. CCLXIV.

Resolve to pay Committee on Accounts. February 19th, 1819.

Resolved, That there be allowed and paid to the Committee on Accounts, one dollar per day, over and above their pay as Members, for the present session, to wit: Honorable James Howland, 2d, thirty-eight days, thirty-eight dollars; Honorable Stephen P. Gardner, thirty-eight days, thirty-eight dollars; Alford Richardson, Esquire, thirty-eight days, thirty-eight dollars; Samuel Porter, Esquire, thirty-eight days, thirty-eight dollars; John Howe, Esquire, fourteen days, fourteen dollars.

CHAP. CCLXV.

Resolve to pay Assistant to Messenger of the Governor and Council. February 19th, 1819.

Resolved, That there be allowed and paid from the treasury of this Commonwealth, unto Ward Lock, Assistant to the Messenger of the Governor and Council, two dollars and fifty cents, for each and every day he has been or may be employed in that capacity, during the present session of the Council.

CHAP. CCLXVI.

Resolve in favor of Henry W. Dwight.
February 19th, 1819.

Resolved, That there be allowed and paid out of the treasury of this Commonwealth, the sum of twelve dollars, to Henry W. Dwight, for six days attendance, previous to the present session, on the Committee of the revenue and fiscal concerns; and that his Excellency the Governor be requested to draw his warrant on the Treasurer for the same.

CHAP. CCLXVII.

Resolve relative to Arms, &c. taken at Eastport.
February 19th, 1819.

Resolved, That his Excellency the Governor be authorized and requested to cause the muskets and accoutrements, the property of individuals, which were taken at the capture of Moose, Dudley and Frederick Islands, and which were restored by the British Commissioners, to the officer appointed to receive the possession of the same, in behalf of this Commonwealth, to be delivered to the individuals from whom they were taken, or to whom they belong.

CHAP. CCLXVIII.

Resolve directing Officers of Government to render Annual Accounts. February 20th, 1819.

Resolved, That the Secretary of the Commonwealth, the Treasurer, Adjutant General, Quarter Master General, and the Commissioners for the sale and settlement of the public

lands, in the District of Maine, be, and they are hereby severally directed to make out an account to the first of January, in each year, specifying the amount of salaries and allowances made to each of the said Officers, the number of Clerks by them employed, their names, the periods of service, and the amount allowed them, with all expenses attaching to their respective offices; and to report the same to the Legislature which may then, or next thereafter, be in session.

CHAP. CCLXIX.

Resolve making appropriation for Quarter Master General's Department. February 20th, 1819.

Resolved, That a sum not exceeding four thousand dollars, be appropriated for the service of the Quarter Master General's Department; and that his Excellency the Governor be requested to issue his warrant, from time to time, for such parts of said sum as may be required for the service of that department; the Quarter Master General to be accountable for the same.

CHAP. CCLXX.

Resolve in favor of Agent of Penobscot Indians. February 20th, 1819.

On the representation of his Excellency the Governor, accompained by the report of the Honorable Council, and the petition of General John Blake, relating to the Penobscot Indians;

Resolved, That there be allowed and paid out of the treasury of this Commonwealth, to said John Blake, three hundred and thirty dollars, and sixty-three cents, in full for his services and disbursements, as Agent of the Penob-

scot Indians, to the time of passing this resolution ; and the Governor, with the advice of Council, be, and he is hereby authorized to draw his warrant on the treasury for the same : *Provided, however*, that the said John Blake, at the time he shall so receive said warrant on the treasury, do give a receipt, running to said Commonwealth, in full for all his services, disbursements and claims, touching said agency, to be lodged in the Secretary's Office.

CHAP. CCLXXI.

Resolve in favor of Samuel M. Pond.
February 20th, 1819.

Whereas, the order of the Senate and House of Representatives, on the petition of Samuel M. Pond, directing the Committee on Accounts, to allow him a certain compensation for his services, as President of a Court Martial, was not approved, and transmitted by his Excellency the Governor, to said Committee, previously to the making up the roll of accounts ;

Resolved, That there be paid out of the treasury of this Commonwealth, to Samuel M. Pond, the sum of thirty dollars, and forty-three cents, in full for the services set forth in said petition and order thereon.

CHAP. CCLXXII.

Resolve relative to Treaty with Penobscot Indians.
February 20th, 1819.

Whereas, the Honorable Edward H. Robbins, Mark L. Hill, and Daniel Davis, Esquires, Commissioners appointed by his Excellency the Governor, in conformity to a resolve passed on the thirteenth day of February last, did, on the twenty-ninth day of June last, negociate a trea-

ty with the Penobscot tribe of Indians, by which said tribe released to the Commonwealth, all their claims to land on both sides of the Penobscot River and the branches thereof, with the exceptions in said treaty specified, for an annuity, as in said treaty provided. Now, therefore, the better to carry said treaty into effect,

Resolved, That it shall be the duty of the Governor of the Commonwealth for the time being, with the advice of Council, to cause the stipulations and engagements in said treaty, to be performed in good faith, and carried into effect in such manner as he shall judge most honorable to the Commonwealth, and beneficial to the Penobscot tribe of Indians; and to draw his warrant on the Treasurer for the amount necessary, not exceeding two thousand dollars in any one year, unless there shall be a future appropriation by the Legislature for that object.

Be it further resolved, That said Commissioners be, and they hereby are discharged from the sum of six hundred dollars, by them received from the treasury of said Commonwealth, by virtue of the aforementioned resolve; and also, from the sum of fifteen hundred and forty-one dollars and sixteen cents, for goods and merchandize, by them received of the Quarter Master General, for the purpose of effecting said treaty, and for which they gave their receipt; and that, what they have received be in full compensation for their services and expenses.

Be it further resolved, That no grant of land made, or to be made, shall be located on any of the lands acquired by this treaty, unless such location shall be expressly authorized by a future grant of the Legislature; and that this reservation be expressed in all the deeds which may be given by the Commissioners of the Land Office.

CHAP. CCLXXIII.

Resolve further to suspend the prosecution of the Sureties of John McMillan, late Sheriff of Oxford.
February 20th, 1819.

Resolved, That the sureties of John McMillan, late Sheriff of the County of Oxford, be allowed until the third

Wednesday of the second session of the next General Court of this Commonwealth, to pay the sums which they are holden to pay to this Commonwealth; and that the Treasurer of this Commonwealth be, and he is hereby directed to suspend the prosecution of the sureties of said Sheriff, accordingly.

CHAP. CCLXXIV.

Resolve to pay Thomas Walcutt. February 20th, 1819.

Resolved, That there be paid out of the treasury of this Commonwealth, to Thomas Walcutt, a Clerk in the Lobbies, for the assistance of the Members of the Legislature, the sum of one hundred and twenty-five dollars, in full for his services, the present session of the General Court.

CHAP. CCLXXV.

Resolve relative to Mills, at Hale's Stream, near Moose River. February 20th, 1819.

Whereas, the appropriations made by a resolve of the seventeenth of February, one thousand eight hundred and eighteen, to erect a saw and grist mill, on Hale's Stream, near Moose River, are found to be insufficient to insure the accomplishment of the object; Therefore,

Resolved, That the Commissioners of the Land Office be authorized to convey, to the persons who shall erect said mills, the whole of the stream and privilege, necessary to said mills, mentioned in said resolve, and one hundred acres of land, instead of fifty, as therein provided; said undertaking being in all other particulars, in conformity to said resolve. And said Commissioners are hereby authorized and directed to make such agreement with persons who shall become actual settlers on the new road to Canada, for keeping said road open, as they shall judge indispensably necessary to the safe passing of travellers.

ROLL, No. 80.....JANUARY, 1819.

THE Committee on Accounts, having examined the several accounts they now present,

REPORT, that there is now due to the Corporations and persons hereafter mentioned, the sums set to their names respectively; which, when allowed and paid, will be in full discharge of the said accounts, to the several dates therein mentioned; which is respectfully submitted.

JAMES HOWLAND, 2d, *Per Order.*

PAUPER ACCOUNTS.

Town of Abington, for board, clothing and doctoring Thomas Seymour, to 16th January, 1819,	$58 50
Amherst, for board, clothing, doctoring and nursing Robert and Jane Richardson, to 19th January, 1819,	123 56
Andover, for board, clothing, and doctoring sundry paupers, to 1st January, 1819,	413 88
Adams, for board, clothing, doctoring and nursing sundry paupers, to 14th January, 1819,	261 96
Alfred, for support of Johnbranche Dore and Trigant de Beaumont, to 7th November, 1818,	37 80
Arundel, for board and clothing Henry Rolf, to 26th November, 1818,	88 00
Augusta, for board, clothing and nursing sundry paupers, to 1st January, 1819,	158 61

Anson, for support of Margaret James and her children, Mary, Joseph, and Jane, to 11th January, 1819,	79 20
Alford, for support and doctoring Abia Tyler and Edward Glinn, to July, 1818,	115 11
Avon, for support of Louisa Hodgman and five children, to 18th November, 1816,	51 33
Beverly, for board and clothing sundry paupers, to 1st January, 1819,	164 85
Barre, for board and clothing Samuel Lee and Sally Taylor, to 7th January, 1819,	40 36
Brimfield, for board and clothing Jonathan Hill, to 19th December, 1818,	37 24
Bradford, for board and clothing Joshua Alesarse, to 1st January, 1819,	37 21
Blandford, for board and clothing sundry paupers, to 14th January, 1819,	133 91
Bangor, for support and doctoring John Haycock and family, and James Johnson, till they left the town, September, 1818,	61 60
Bowdoinham, for board and clothing Betsey Parker, till her death, and funeral charges,	26 77
Braintree, for board, doctoring and nursing Eliza Blackman, till she left the town, and Titus, a negro, to 14th January, 1819,	76 24
Billerica, for support and doctoring sundry paupers, to 20th January, 1819,	142 00
Bridgewater, for board and clothing Robert Green and William Badger, to 28th January, 1819,	84 60
Boston Board of Health, for support and doctoring sundry paupers, with the small pox, at Rainsford's Island, to 20th January, 1819,	32 00
Bath, for board, clothing, doctoring and nursing sundry paupers, to 15th January, 1819,	286 10
Bristol, for board and clothing William Howe and Samuel Hill and wife, to 11th December, 1818,	171 20
Burlington, for support of Thomas Hardman, to 27th January, 1819,	45 52
Boston, for board and clothing sundry paupers, to 30th November, 1818,	7686 79

Belchertown, for board, clothing, doctoring and nursing sundry paupers, to 15th January, 1819,	114 85
Bradford, Ann, Administratrix of Samuel Bradford, deceased, late Keeper of the gaol, in the County of Suffolk, for support of sundry poor prisoners, confined for debt, to 4th September, 1818,	135 21
Bell, Shubael, late Keeper of the gaol, in the County of Suffolk, for support of sundry poor prisoners, confined for debt, from 5th September to 13th October, 1818,	131 78
Conway, for board, clothing, nursing and doctoring Charles Freeman, to 20th May, 1818, and Charles Sampson, till his death, June, 1818, and his and Matilda Freeman's funeral charges,	92 18
Carlisle, for board and clothing Robert Barber, to 4th January, 1819,	41 44
Chester, for board and clothing sundry paupers, to 12th January, 1819,	157 40
Colrain, for support and doctoring Richard and Rachel Hines, to 2d January, 1819,	132 50
Canton, for board and clothing John Cole, to 14th January, 1819,	44 09
Clinton, for funeral charges of Ebenezer Aers, 26th January, 1819,	5 00
Cape Elizabeth, for board and clothing sundry paupers, to 1st January, 1819,	212 00
Chesterfield, for board and clothing sundry paupers, to 11th January, 1819,	180 80
Charlestown, for board and clothing sundry paupers, to 28th January, 1819,	674 11
Canaan, for support of William Jones and family, to 1st August, 1817,	43 50
Cheshire, for board, clothing, doctoring and nursing sundry paupers, to 9th January, 1819,	282 15
Cherryfield, for board, clothing and doctoring Richard Barfield, till his death, and funeral charges, May, 1818,	35 00
Camden, for board and clothing John Bloom, and house rent for Richard Conway's family, to 29th January, 1819,	86 81

Cambridge, for board and clothing sundry paupers, to 26th January, 1819,	535 37
Dracut, for support of John Butler, till his death, and funeral charges, 13th July, 1818, and Richard Baker, to 16th January, 1819,	107 21
Dresden, for board and clothing John Cullen, to 1st January, 1819,	67 20
Dedham, for board of Israel Jenks and Earl Pitcher, to 10th December, 1818,	7 28
Danvers, for board and clothing sundry paupers, to 19th January, 1819,	1800 14
Dorchester, for support and doctoring George Ridgley, to November, 1818,	45 25
Egremont, for board, clothing, doctoring and nursing sundry paupers, to 14th January, 1819,	207 08
Eastham, for board, clothing, doctoring and nursing David Lund, till his death, 31st March, 1818, and funeral charges,	76 78
Eliot, for board, clothing, doctoring and nursing Jacob Brewer and Abigail Randall, to 19th January, 1819,	134 97
Framingham, for support of Lucy Green, to 16th January, 1819,	23 40
Fayette, for board and clothing William Godfrey Martin, to 1st January, 1819,	67 20
Falmouth, Barnstable County, for board, clothing and doctoring Edward Edwards, to 19th January, 1819,	110 80
Friendship, for board and clothing James Metcalf and Martha Bigmore, to 26th January, 1819,	114 40
Falmouth, Cumberland County, for board and clothing sundry paupers, to 1st January, 1819,	252 40
Franklin, for board and nursing John Johnson, to 26th May, 1818,	42 37
Fairhaven, for support of Sarah Carr and Dorcas Smith, to 1st January, 1819,	58 75
Granville, for board and clothing Simon Hoffman and George Taylor, to 1st January, 1819,	77 54

Gardiner, for board and clothing sundry paupers, and funeral charges of Eleanor Thoms, to 10th January, 1819, 141 70

Gardner, for support of John Brinkman, to 6th January, 1819, 30 00

Grafton, for board, clothing and doctoring Benjamin White and Isaac Newman, to 25th December, 1818, and Submit Awansimug, to 14th January, 1819, 277 69

Groton, for board, clothing, doctoring and nursing sundry paupers, to 10th January, 1819, 368 36

Gorham, for support of Robert Gilfilling, to 31st January, 1819, 52 50

Great Barrington, for board and clothing sundry paupers, to 28th January, 1819, 282 84

Gill, for board, clothing, doctoring and nursing sundry paupers, to 16th January, 1819, 181 77

Gloucester, for board and clothing sundry paupers, to 10th November, 1818, 569 61

Hawley, for board, clothing and doctoring sundry paupers, to 14th January, 1819, 68 36

Harlem, for support of William Youling, to 10th November, 1818, 33 60

Hull, for support of Thomas Herron, to 3d February, 1819, 24 60

Hallowell, for board, clothing, doctoring and nursing, to 1st January, 1819, sundry paupers, 456 27

Haverhill, for board, clothing and doctoring sundry paupers, to 1st January, 1819, 73 86

Harrington, for board, nursing and doctoring William Pearce, to 10th March, 1818, 16 87

Hadley, for support and doctoring Friday Allen and wife, to 11th January, 1819, 57 33

Hall, Joseph, Keeper of the gaol, in County of Suffolk, for support of sundry poor prisoners, confined for debt, to 10th February, 1819, 272 99

Ipswich, for board and clothing sundry paupers, to 24th January, 1819, 172 62

Jay, for board, clothing and nursing Elizabeth Bell, to 12th January, 1819, 37 14

Jonesborough, for board, clothing, doctoring and nursing James Kevan and John Harrington, to 11th November, 1818,	170 08
Kittery, for board, clothing and doctoring sundry paupers, to 13th January, 1819,	185 98
Leominster, for board and doctoring Neal Lettage, and funeral charges, 18th September, 1818,	7 00
Leyden, for board, clothing and doctoring sundry paupers, to 8th January, 1819, and funeral charges of Elizabeth Wagner,	184 73
Lenox, for board, clothing, doctoring and nursing sundry paupers, to 9th January, 1819,	201 34
Lanesborough, for board, clothing, doctoring and nursing sundry paupers, to 1st January, 1819,	221 83
Longmeadow, for support of John Venauly and family, and Edmund Booth, to 15th January, 1819,	117 64
Lincolnville, for board and clothing sundry paupers, to 14th January, 1819,	122 20
Lee, for board, clothing, doctoring and nursing sundry paupers, to 10th January, 1819,	409 97
Lynn, for board and clothing sundry paupers, to 30th November, 1818,	334 61
Livermore, for support of James Campbell and family, to 6th January, 1819,	33 00
Littleton, for support of John Putnam, to 3d February, 1819,	33 22
Limington, for board and clothing John O'Ryan, to 31st December, 1818,	77 20
Montville, for board and clothing William McClary and John Gloster, to 26th December, 1818,	129 24
Montague, for board, clothing and doctoring Edward Potter and wife, to 1st January, 1819, Elizabeth Sicklan, till her death, 12th January, 1819, and funeral charges,	166 77
Mansfield, for board and clothing Hugh McPherson, to 1st January, 1819,	67 20
Marblehead, for board and clothing sundry paupers, to 28th January, 1819,	273 04

Machias, for board, clothing, doctoring and nursing sundry paupers, to 31st December, 1818, and funeral charges of Anthony Pepper, 27th August, 1818,	186 96
Marlborough, for board, clothing, doctoring and nursing Joseph Waters, to 28th November, 1818,	84 00
Methuen, for support of Nelson Crosby, to 10th July, 1818,	14 00
Middleborough, for board, clothing and doctoring sundry paupers, to 1st January, 1819,	266 53
Malden, for board, clothing and doctoring John Holland, till his death, 17th July, 1818, and funeral charges,	49 75
Monmouth, for board and clothing Peggy Maguer, to 1st February, 1819,	29 70
Monson, for board, clothing, doctoring and nursing James Worthington, a child of Sylvia Sechem, to 1st January, 1819, and funeral charges of Sylvia,	123 56
Montgomery, for board and clothing Moses Canceir, to 10th January, 1819,	39 10
Mount Vernon, for support and doctoring sundry paupers, to 8th December, 1818,	204 11
Northfield, for board and clothing Amos Riley, to 9th January, 1819,	41 30
Northampton, for support, clothing and doctoring sundry paupers, to 1st January, 1819,	193 05
Newcastle, for support and doctoring sundry paupers, to 1st January, 1819,	134 02
Newbury, for board and clothing sundry paupers, to 1st January, 1819,	1213 26
Newburyport, for board and clothing sundry paupers, to 31st December, 1818,	773 45
New Gloucester, for board, clothing, doctoring and nursing sundry paupers, to 1st February, 1819, and funeral charges of Robert Forbes,	155 94
Newton, for board and clothing Joseph Prichard, to 1st January, 1819,	131 82

Nantucket, for board, clothing, doctoring and nursing sundry paupers, to 6th January, 1819,	272 17
North Yarmouth, for board, clothing and doctoring George Young, to 9th February, 1819,	60 94
North Brookfield, for support of Joseph and Daniel Peterson, to 15th January, 1819,	25 83
Overseers of Marshpee Indians, for board and clothing sundry paupers, to 12th January, 1819,	460 55
Pittston, for support of Amelia McMansfield, till her death, 5th March, 1818, and funeral charges,	19 15
Portland, for board and clothing sundry paupers to 1st January, 1819,	1249 59
Prospect, for board, clothing and doctoring Benjamin Y. Shute and Lydia Hayes, to 1st January, 1819,	180 89
Plymouth, for board and clothing sundry paupers, to 18th January, 1819,	492 44
Pittsfield, for board, clothing and doctoring sundry paupers, to 1st February, 1819,	400 96
Pembroke, for support of Otaval Worrell and Elizabeth Jacks, to 1st January, 1819,	52 64
Raynham, for board of John Tucker, to 25th May, 1817, and expense of removing him out of the Commonwealth,	35 55
Rumford, for support of Sally Tyler and six children, to 4th March, 1818, and expense of removing them out of the Commonwealth,	200 00
Roxbury, for board and clothing sundry paupers, to 3d January, 1819,	356 67
Rutland, for board and clothing William Henderson, to 7th January, 1819,	67 20
Rowley, for board, clothing, doctoring and nursing Ellee Collins and John Drew, to 1st January, 1819,	74 75
Rehoboth, for board, clothing and doctoring sundry paupers, to 1st January, 1819,	205 75
Russell, for board, clothing and doctoring sundry paupers, to 1st January, 1819,	139 56
Somerset, for board and clothing William Elliot, to 1st January, 1819,	21 16

Sandisfield, for support of Richard Dickson and family and Hannah Wilcox, to 11th January, 1819, Hannah Wilcox, Junior, Annis Calwell and child till their death, and funeral charges, Sarah Spencer till she left the State, and expense of removal,	197	97
Shrewsbury, for board, clothing and doctoring George Philmore and George Parker, to 13th January, 1819,	88	93
Shirley, for board, clothing and doctoring sundry paupers, to 1st January, 1819,	208	36
Scituate, for supplies and doctoring to sundry paupers, to 18th January, 1819,	34	06
Sherburne, for support of Benjamin Haughton, to 22d January, 1819,	57	74
Sandwich, for support of Esther and Mason Raymond, to 7th January, 1819,	64	00
Sutton, for board, clothing, doctoring and nursing sundry paupers to 9th January, 1819,	247	86
Salem, for board and clothing sundry paupers, to 2d January, 1819,	2582	72
Swansey, for support and doctoring Garnit Burns till his death, and funeral charges, James Garnit and Mather Dusnips, to 23d January, 1819,	79	63
Sudbury, for support and doctoring John Weighton and Alexander Ralston, to 11th February, 1819,	100	32
Seekonk, for board, clothing, doctoring and nursing Thomas Peirce till his death, 26th August, 1818, Andrew Allen, wife and children, to 6th January, 1819,	140	57
Shelburne, for board, clothing and doctoring sundry paupers, to 14th January, 1819,	113	28
Sheffield, for board, clothing and doctoring sundry paupers, to 12th January, 1819, and expense of removing Polly Hall and Sally Williamson and children out of the State,	313	70
Stockbridge, for board, clothing, doctoring and nursing sundry paupers, to 1st December, 1818,	275	55
St. George, for board and clothing Robert Haws, to 3d January, 1819,	91	00

Thomaston, for board, clothing and nursing John Anderson, to 1st January, 1819,	63 90
Tisbury, for board, nursing and doctoring John Miller, till he left the State, November, 1816,	44 26
Taunton, for board, clothing, doctoring and nursing sundry paupers, to 31st December, 1818,	514 07
Troy, for board, clothing and doctoring Wheaton Bailey and Betsey Bell, to 10th February, 1819, and funeral charges of Betsey Bell,	102 27
Tyringham, for board and clothing Richard and Abner Gardner, to 1st January, 1819,	124 00
Uxbridge, for support of David Mitchell and Patience Hazard, and Phillis Jenks' child, to 10th January, 1819,	86 10
Vassalborough, for board and clothing Abigail Fairbrother, to 1st February, 1819.	38 23
Williamstown, for board, clothing and doctoring sundry paupers, to 11th January, 1819,	143 24
Wellington, for board and clothing Catharine Butler, to 15th January, 1819,	88 00
Worcester, for board and clothing sundry paupers, to 1st January, 1819,	239 28
Wareham, for board and clothing William Long, to 14th January, 1819,	42 65
Wiscasset, for board, clothing, doctoring and nursing sundry paupers, to 20th January, 1819,	362 25
Westborough, for board and clothing John Donovan, to 5th January, 1819,	102 12
Woburn, for board and clothing John Lynham, to 1st January, 1819,	22 54
Watertown, for support of George Bowen and wife, to 25th January, 1819,	150 00
Waterville, for board, clothing, doctoring and nursing sundry paupers, to 1st January, 1819,	144 01
Walpole, for board and clothing Eliza Ellis and two children of Nancy Hearns, to 25th January, 1819,	64 70

Waldoborough, for board, clothing and doctoring Philip Handle and Phebe Andrews, to 6th December, 1818, and funeral charges of Phebe Andrews,	60 00
Whately, for board and clothing Rebecca Bacon, and Benjamin Mather, to 18th January, 1819,	153 85
Wrentham, for board, clothing, doctoring and nursing sundry paupers, to 1st January, 1819,	140 33
West Stockbridge, for board and clothing sundry paupers, to 1st January, 1819,	95 42
Westport, for support of John Cuffee, till his death, and funeral charges, 19th January, 1817,	30 72
Wilbraham, for board and clothing Nancy Bartlett, till bound out, 14th April, 1818,	21 25
Westbrook, for support and doctoring James Covert, to 14th January, 1819,	43 75
Westfield, for board, clothing and doctoring sundry paupers, to 1st January, 1819,	154 52
West Springfield, for support and doctoring sundry paupers, to 11th January, 1819,	249 95
Westhampton, for board, clothing and doctoring sundry paupers, to 6th January, 1819,	158 94
Wade, Thomas, Keeper of house of correction, in County of Essex, for board and clothing sundry insane persons, to 4th January, 1819, including allowance made by Court of Sessions, to 21st September, 1818,	411 00
Windham, for support and doctoring Thomas Kenard and wife, to 11th January, 1819,	108 30
Westford, for board and clothing James Peirce, to 10th February, 1819,	43 40
Warren, for support of sundry paupers, to 20th January, 1819,	221 00
York, for board, clothing, doctoring and nursing sundry paupers, to 30th January, 1819,	473 53
Total Paupers,	$39,613 52

Courts Martial, Courts of Inquiry, &c.

Sumner, William H. Adjutant General, for the expense of a Court Martial, held at Worcester, September 8th, 1818, whereof Major General Nathaniel Goodwin was President,	1533 58
Sumner, William H. Adjutant General, for expense of a Court of Inquiry, held at Worcester, July 21st, 1818, whereof Major General Elijah Crane was President,	464 13
Allen, Samuel, for expense of a Court Martial, held at Mendon, March 5th, 1818, whereof Prentice Cushing was President,	123 61
Allen, Samuel, for expense of a Court Martial, held at Worcester, whereof Samuel Mixter was President,	116 72
Wood, John F. for expense of a Court Martial, held at Augusta, January 20th, 1818, whereof Nathan Stanly was President,	128 59
Page, Samuel, for expense of a Court of Inquiry, whereof Ebenezer Thatcher was President,	71 61
Page, Samuel, for expense of a Court of Inquiry, whereof Thomas McCrate, was President,	57 30
Thayer, Samuel M. for expense of a Court Martial, held at Quincy, November 10th, 1818, whereof Joseph Dudley was President,	152 07
Total,	$2647 61

Brigade Majors and Aids de Camp.

Allen, Samuel, Junior, to January 20th, 1819, 1st Brigade, 7th Division,	70 52
Amory, Thomas, to January 12th, 1819, 12th Division,	48 67
Bancraft, Ebenezer, to January 1st, 1819, 1st Division,	53 80
Barnard, Robert F. to January, 1819, 1st Brigade, 9th Division,	55 77

Bliss. George, Junior, to November, 1818, 1st Brigade, 4th Division,	77 60
Carter, Solomon, to January, 1819, 2d Brigade, 7th Division,	82 36
Clarke, Joseph, to October 21st, 1818, 2d Brigade, 8th Division,	73 92
Dutch, Ebenezer, to January, 1819, 2d Brigade, 8th Division,	76 05
Carr, Joshua W. to January, 1819, 1st Brigade, 10th Division,	62 37
Fairbanks, Stephen, to Feburary 1st, 1819, 3d Brigade, 1st Division,	78 52
Fogg, Simon, 2d Brigade, 6th Division, January 5th, 1819,	72 30
Gilbert, Thomas, 2d Brigade, 4th Division, January 19th, 1819,	67 72
Hitchcock, Edward, 4th Division, February 3d, 1819,	5 37½
Heywood, N. 5th Division, to January 18th, 1818,	124 25
Hopkins, Thomas, 9th Division, to December 21st, 1818,	45 92
Hubbell, Calvin, 2d Brigade, 9th Division, to January 19th, 1819,	59 30
Hyde, Lina, 1st Brigade, 11th Division, to January 19th, 1819,	76 99
Hubbard, Russell, 13th Division, to January 19th, 1819,	51 60
Lewis, Philo, 2d Brigade, 10th Division, to January 19th, 1819,	129 05
Mitchel, Daniel, 1st Brigade, 12th Division, to January, 1819,	36 72½
Page, Samuel, 2d Brigade, 11th Division, to January, 1819,	115 41
Smith, John, Junior, 1st Brigade, 2d Division, to January 1st, 1819,	138 12½
Scott, John, 2d Brigade, 2d Division, to November 25th, 1818,	95 50
Sexton, Jonathan A. 4th Division, to January 9th, 1819,	37 87½

Sampson, Joseph, 3d Brigade, 5th Division, to January, 1819,	114 42
Sibley, Jonas S. 7th Division, to January, 1819,	7 42½
Sampson, George, 1st Brigade, 10th Division, to January, 1819,	23 60
Sargeant, Henry, Colonel, for services at Eastport, by order of Commander in Chief,	125 16
Thayer, Minot, 1st Division, to January 4th, 1819,	150 97
Thayer, Samuel M. 1st Brigade, 1st Division, to January 29th, 1819,	162 75
Treat, Joseph, 1st Brigade, 10th Division, to January 19th, 1819,	221 63
Varnum, Benjamin F. 3d Division, to January, 1819,	64 30
Whitney, Timothy P. 2d Brigade, 1st Division, to January 6th, 1819,	127 53
Wilder, Nathaniel, Junior, 1st Brigade, 5th Division, to January, 1819,	84 69
Wheelwright, George, 1st Brigade, 6th Division, to January, 1819,	49 75
Wood, John F. Junior, 1st Brigade, 8th Division, to November, 1818,	62 02
Total,	$ 2929 97

Brigade Quarter Masters.

Ames, Nathan, 1st Brigade, 11th Division, to January, 1817,	49 50
Coborn, Samuel A. 2d Brigade, 3d Division, for 1818,	23 25
Copeland, Jonathan, 1st Brigade, 7th Division, for 1818,	29 50
Clark, Royal, 1st Brigade, 10th Division, for 1817 and 1818,	84 74
Campbell, James F. 2d Brigade, 10th Division, for 1818,	35 00
Dennett, Mark, 1st Brigade, 6th Division, for 1817 and 1818,	35 00
Day, Robert, 1st Brigade, 4th Division, for 1818,	32 80

Hobert, Thomas, 1st Brigade, 5th Division, for 1818,	18 10
Kendell, Henry, 2d Brigade, 7th Division, for 1818,	30 50
King, Amos, 1st Brigade, 9th Division, for 1818,	17 00
Pollard, Oliver, 1st Brigade, 13th Division, for 1818,	21 60
Ripley, James W. 2d Brigade, 13th Division, for 1817 and 1818,	44 10
Scott, John, 2d Brigade, 2d Division, for 1818,	18 75
Willington, John, 2d Brigade, 8th Division, for 1818,	36 80
Total,	$476 64

Adjutants.

Adams, Gibbins, 1st Regiment, 2d Brigade, 2d Division, to January 28th, 1819,	38 45
Adams, Charles, 3d Regiment, 1st Brigade, 9th Division, to March 30th, 1818,	29 62
Agry, Thomas, 1st Regiment, 1st Brigade, 11th Division, to September 30th, 1818,	54 60
Bailey, Calvin, Artillery, 3d Brigade, 1st Division, to January 26th, 1819,	80 25
Breede, Andrew, 4th Regiment, 1st Brigade, 2d Division, to December 4th, 1818,	26 14
Bradley, Charles, Cavalry, 2d Brigade, 2d Division, to October 14th, 1818,	22 10
Bemis, Isaac, Junior, 1st Regiment, 1st Brigade, 3d Division, to September 14th, 1818,	50 69
Bryant, Nahum, 3d Regiment, 2d Brigade, 4th Division, to January, 1819,	34 14
Borden, John C. 5th Regiment, 2d Brigade, 5th Division, to August 10th, 1818,	25 18
Bray, Josiah, 2d Regiment, 3d Brigade, 5th Division, to January, 1819,	68 88
Bourne, Edward E. Artillery, 1st Brigade, 6th Division, to December 26th, 1818,	18 80

Brooks, Jeremiah, 1st Regiment, 1st Brigade, 6th Division, to December 25th, 1818,	11 89
Bailey, Holaway, 2d Regiment, 2d Brigade, 7th Division, to September 24, 1818,	33 00
Backus, Zenas, 3d Regiment, 1st Brigade, 8th Division, to December 31st, 1818,	62 25
Bozworth, Stephen, 3d Regiment, 1st Brigade, 9th Division, to January, 1819,	13 08
Bishop, Henry W. 2d Regiment, 2d Brigade, 9th Division, to January 20th, 1819,	36 06
Bond, Asa, 2d Regiment, 2d Brigade, 10th Division, to December 29th, 1818,	41 99
Balcomb, John A. 3d Regiment, 2d Brigade, 10th Division, to September 31st, 1818,	43 64
Black, Edmund, 4th Regiment, 2d Brigade, 11th Division, to October 5th, 1818,	29 43
Champney, John, 1st Regiment, 1st Brigade, 1st Division, to January, 1819,	22 93
Cushing, Ned, 2d Regiment, 1st Brigade, 1st Division, to January, 1819,	77 37½
Clark, Samuel, 1st Regiment, 3d Brigade, 1st Division, to January, 1819,	166 54
Clap, William W. 2d Regiment, 3d Brigade, 1st Division, to January, 1819,	164 62½
Choate, William, 2d Regiment, 2d Brigade, 2d Division, to January, 1819,	18 90
Clark, John, Artillery, 1st Brigade, 3d Division, to January, 1819,	18 00
Coolidge, Nathaniel, Junior, 3d Regiment, 1st Brigade, 4th Division, to January, 1819,	50 80
Collings, Michael, 3d Regiment, 3d Brigade, 5th Division, to January, 1819,	47 60
Campbell, Daniel, 4th Regiment, 1st Brigade, 8th Division, to January 15th, 1819,	61 00
Cram, Levi, Artillery, 1st Brigade, 10th Division, to January, 1819,	143 62
Carlton, William, 5th Regiment, 2d Brigade, 11th Division, to November 23d, 1818,	31 27
Chase, James, Artillery, 2d Regiment, 1st Brigade, 13th Division, to January 20th, 1819,	15 39

Day, Alfred, Artillery, 2d Brigade, 1st Division, to January, 1819,	75 36
Dickinson, Philo, Artillery, 1st Brigade, 4th Division, to January, 1819,	30 90
Davis, Benjamin, 6th Regiment, 1st Brigade, 7th Division, to January, 1819,	12 35
Edwards, Elisha, 1st Regiment, 1st Brigade, 4th Division, to January 13th, 1819,	29 65
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Emery, Daniel, 3d Regiment, 1st Brigade, 10th Division, to December 8th, 1818,	131 17
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Freeman, William, Cavalry, 3d Brigade, 5th Division, to December 24th, 1818,	29 57
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Grant, Elisha, Cavalry, 1st Brigade, 10th Division, to October 1st, 1817,	64 87
Hutchens, Joseph, 1st Regiment, 2d Brigade, 4th Division, to January, 1819,	34 92½
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Hamilton, Abiel, 2d Regiment, 1st Brigade, 6th Division, to September 23d, 1818,	30 33
Herrick, Benjamin J. 3d Regiment, 2d Brigade, 6th Division, to November, 1818,	22 94
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Treadwell, Thomas, 4th Regiment, 1st Brigade, 10th Division, to January, 1819,	94 50
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Webb, Jonathan, 1st Regiment, 1st Brigade, 2d Division, to January, 1819,	23 50
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Wheelwright, George, 4th Regiment, 1st Brigade, 6th Division, to January, 1819,	28 02
Wilder, David, 1st Regiment, 2d Brigade, 7th Division, to May, 1818,	12 80
Wright, Samuel W. 3d Regiment, 2d Brigade, 9th Division, to September 1st, 1818,	11 98
Total,	$5,258 04

Expense for Horses to haul Artillery.

Aldrich, Crowell, for 1818,	$15 00
Bachelor, Samuel, for 1818,	8 00
Blaisdell, John, for 1818,	12 50
Barrell, Elisha, for 1816, 1817 and 1818,	18 50
Beach, William, for 1818,	7 50
Baldwin, Henry, for 1817,	5 00
Bonner, Philip, for 1818,	60 00
Cutter, Edward, for 1818,	12 50
Clark, Asa, for 1818,	6 00
Cleaves, William W. for 1818,	5 00
Crocker, Joseph, for 1818,	7 50
Coffin, Samuel, for 1818,	10 00
Dunbar, George S. for 1818,	7 50
Dyer, James, for 1817,	6 25
Dalrymple, William, for 1818,	9 00
Dwight, Simeon, for 1818,	6 75
Everett, George, for 1818,	7 50
Freeman, Asa, for 1818,	13 00
Flagg, Marshal, for 1818,	5 00
Fessenden, Ebenezer, for 1818,	5 00
Goldthwait, Moses, for 1818,	10 00
Hopkins, Charles W. for 1818,	5 50
Hanson, Samuel, for 1818,	4 50
Hunting, John, for 1818,	10 00
Jenkins, Weston, for 1818,	10 00
Kimbal, Edmund, for 1818,	10 00

Knight, Daniel, for 1818,	7 50
Killey, Sylvanus, for 1817 and 1818,	12 50
Lawrence, Samuel, for 1818,	10 00
Morton, William, for 1818,	5 00
Milliken, Isaac, for 1818,	10 00
Merill, Philip, for 1816, 1817, and 1818,	15 00
Mallard, Abraham, for 1818,	5 00
Moody, George, for 1818,	20 00
McCobb, William, for 1818,	21 75
Morris, Edward, for 1818,	5 00
Nelson, Ezra, for 1818,	9 00
Nash, Micah, for 1818,	7 50
Palfrey, Warwick, for 1818,	8 00
Porter, Warren, for 1817 and 1818,	22 00
Palmer, Barnabas, for 1818,	20 00
Parker, Lewis, for 1817,	12 00
Proctor, William, for 1818,	5 00
Ruggles, Gardner, for 1818,	5 00
Severance, Otis, for 1818,	5 00
Stetson, Timothy, for 1818,	8 00
Shaw, Southworth, for 1818,	7 50
Slater, Andrew, for 1818,	5 00
Stetson, Robert, for 1818,	10 00
Stuert, John, for 1818,	5 00
Tufts, Call, for 1818,	5 00
Thaxter, Jonathan, for 1818,	30 00
Warrener, Walter, for 1817 and 1818,	17 50
Williams, Thomas C. for 1818,	7 50
Walker, George, for 1818,	6 25
Wheeler, Elisha, for 1818,	15 00
Wilkinson, Simon, for 1818,	50 00
Total,	$649 50

Courts Martial, &c.	2647 61
Brigade Majors, &c.	2929 97
Brigade Quarter Masters,	476 64
Adjutants,	5258 04
For Artillery Horses,	649 50
Total, Military,	$11,961 76

SHERIFFS' AND CORONERS' ACCOUNTS.

Bartlett, Bailey, Sheriff of Essex County, for returning votes, January, 1819,	7 50
Badger, Thomas, Coroner of Suffolk County, for inquisition on the body of a stranger, and funeral charges, 3d October, 1818,	15 23
Crane, Elijah, Sheriff of Norfolk County, for returning votes, to January, 1819,	4 62
Cooper, John, Sheriff of Washington County, for returning votes, to January, 1819,	59 50
Chandler, John, late Sheriff of Kennebec County, for returning votes for the year 1812,	57 72
Davis, Wendell, Sheriff of Barnstable County, for returning votes, to January, 1819,	13 50
Hoyt, Epaphras, Sheriff of Franklin County, for returning votes, to January, 1819,	16 15
Herrick, Jedediah, Sheriff of Penobscot County, for returning votes, to January, 1819,	59 25
Hayward, N. Sheriff of Plymouth County, for returning votes, to 1st January, 1819,	9 87
Hamlin, Cyrus, Sheriff of Oxford County, for returning votes and distributing proclamations, to January, 1819,	17 50
Hunewell, Richard, Sheriff of Cumberland County, for returning votes, to January, 1819,	19 04
Little, David, Coroner of Essex County, for inquisition on the body of a stranger, 5th June, 1818,	16 14
Lawrence, Jeremiah, Sheriff of Nantucket County, for distributing precepts and returning votes, to January, 1819,	70 00

Lang, William, Coroner of Essex County, for inquisition on the body of a stranger, and funeral charges, 22d July, 1818,	14 00
Leonard, Horatio, Sheriff of Bristol County, for returning votes, to 1st January, 1819,	13 20
Phelps, John, Sheriff of Hampden County, for returning votes, to January, 1819,	39 60
Thatcher, Samuel, Sheriff of Lincoln County, for returning votes, to January, 1819,	32 30
Ward, Thomas W. Sheriff of Worcester County, for returning votes, to January, 1819,	9 87
Watson, George, Sheriff of Hancock County, for returning votes, to January, 1819,	38 08
Total,	$513 07

PRINTERS' ACCOUNTS.

Allen, Phinehas, for publishing Acts and Resolves, to 1st January, 1819,	16 67
Ballard & Wright, for publishing Notice to receive Proposals for rebuilding the wall of State Prison, and Proclamation of surrender of Moose Island, &c. July, 1818, and Independent Chronicle, and Boston Patriot furnished the House of Representatives, to 17th February, 1819,	47 50
Burton, James, for publishing Acts and Resolves, to 1st January, 1819,	16 67
Clapp, W. W. for publishing Acts and Resolves, to 1st January, 1819,	15 66
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Dickman, Thomas, for publishing Acts and Resolves, to October, 1818,	16 67
Goodale, Ezekiel, for publishing Acts and Resolves, to 1st January, 1819,	16 33
Russell, Benjamin, by Russell & Gardner, for printing done for the government, to 16th February, 1819,	2061 75

Russell, Benjamin, for the Columbian Centinel, furnished the House of Representatives, to 17th February, 1819, 40 00

Shirley, A. & I. for publishing Acts and Resolves, to 1st January, 1819, 16 67

Total, Printers, $2,281 25

MISCELLANEOUS ACCOUNTS.

Agricultural Society, Massachusetts, for sundry expenses in raising seeds and plants, and by experiments, made by said society, in the public garden at Cambridge, under the direction of W. D Peck. and including Wells and Lilly's account for printing, in full for the year 1818, 1000 00

Allen, Andrew J. for parchment furnished Secretary's Office, to 24th February, 1818, 12 00

Boston Board of Health, for sundry repairs on Rainsford's Island, to 20th January, 1819, 1774 79

Burditt, James W. for stationary furnished J. H. Peirce, Esquire, also sundry stationary for the government, to 8th February, 1819, 255 14

Bird, Abraham, for sundry lumber for State House, to 5th January, 1819, 241 94

Blaney, Henry, for sundry repairs on the State House, to 5th January, 1819, 20 35

Bradley, Samuel, for sundry hard ware, for State House, to 4th February, 1819, 78 37

Bacon, Henry, for assisting the Messenger of the General Court, to 20th February, 1819, 95 00

Chase, Warren, for assisting the Messenger of the General Court, to 20th February, 1819, 95 00

Committee for examining the Treasurer's accounts, to January, 1819, viz.

Honorable Joseph Bemis,	14 00	
" Andrew Ritchie,	14 00	
Thomas Greenleaf, Esquire,	14 00	
George, Rantoul, Esquire,	14 00	
Stephen Codman, Esquire,	14 00	70 00

Durant & Snelling, for setting glass, and cleaning windows on State House, to 5th January, 1819,	36 25
Francis, Mary, for her son Joseph, as Page to the House of Representatives, to 18th February, 1819,	40 00
Goodrich, Isaac W. for stationary, furnished Secretary's Office, to 26th January, 1819,	76 00
Hobart, Moses L. Keeper of Rainsford's Island, for his salary one year, ending 1st March, 1819,	44 44
Loring, Benjamin, for stationary, furnished Adjutant General's Office, to 12th February, 1819,	57 55
Loring, Josiah, for stationary, furnished Treasurer's and Secretary's Offices, to 27th January, 1819,	70 45
Lane & Lamson, for crape, furnished the two Houses, 18th January, 1819,	45 00
Lincoln, Amos, Junior, for sundry painting on the State House, to 25th October, 1818,	136 90
Low, Lewis, for assisting the Messenger of the General Court, to 20th February, 1819,	90 00
Low, John V. for assisting the Messenger of the General Court, to 20th February, 1819,	87 50
Munroe & Francis, for stationary, furnished Secretary's Office, to 2d February, 1818,	3 50
Otis & Thaxter, for lumber furnished for State House, to 15th February, 1819,	32 59
Pearson, Edward A. for sundry glass ware, for State House, to 27th January, 1819,	10 73
West, Richardson & Lord, for stationary, furnished Secretary's Office, to 13th January, 1819,	15 00
Wells, John & Benjamin T. for copper funnels for State House, to 29th September, 1818,	48 82
Wheeler, John H. for sundry joiner work on the State House, to 15th February, 1819,	231 60
Total, Miscellaneous,	$4,638 92

Aggregate of Roll No. 80.

Expense of State Paupers,		$39,613 52
Do.	Militia,	11,961 76
Do.	Sheriffs and Coroners,	513 07
Do.	Printers,	2,281 25
Do.	Miscellaneous,	4,638 92
	Total,	$59,008 52

Resolved, That there be allowed and paid out of the public treasury, to the several corporations and persons mentioned in this roll, the sums set against such corporations, and persons' names respectively; amounting in the whole to fifty-nine thousand and eight dollars, and fifty-two cents; the same being in full discharge of the accounts and demands to which they refer.

[Approved by the Governor, February 19th, 1819.]

COMMONWEALTH OF MASSACHUSETTS.

SECRETARY'S OFFICE, MAY 20, 1819.

By this I certify, that the Resolves printed in this pamphlet, passed in January and February, 1819, have been compared with the originals in this office, and appear to be correct, except the omission of these words, "of the denomination," page 698, five lines from top, after the word "draught."

ALDEN BRADFORD,

Secretary of the Commonwealth.

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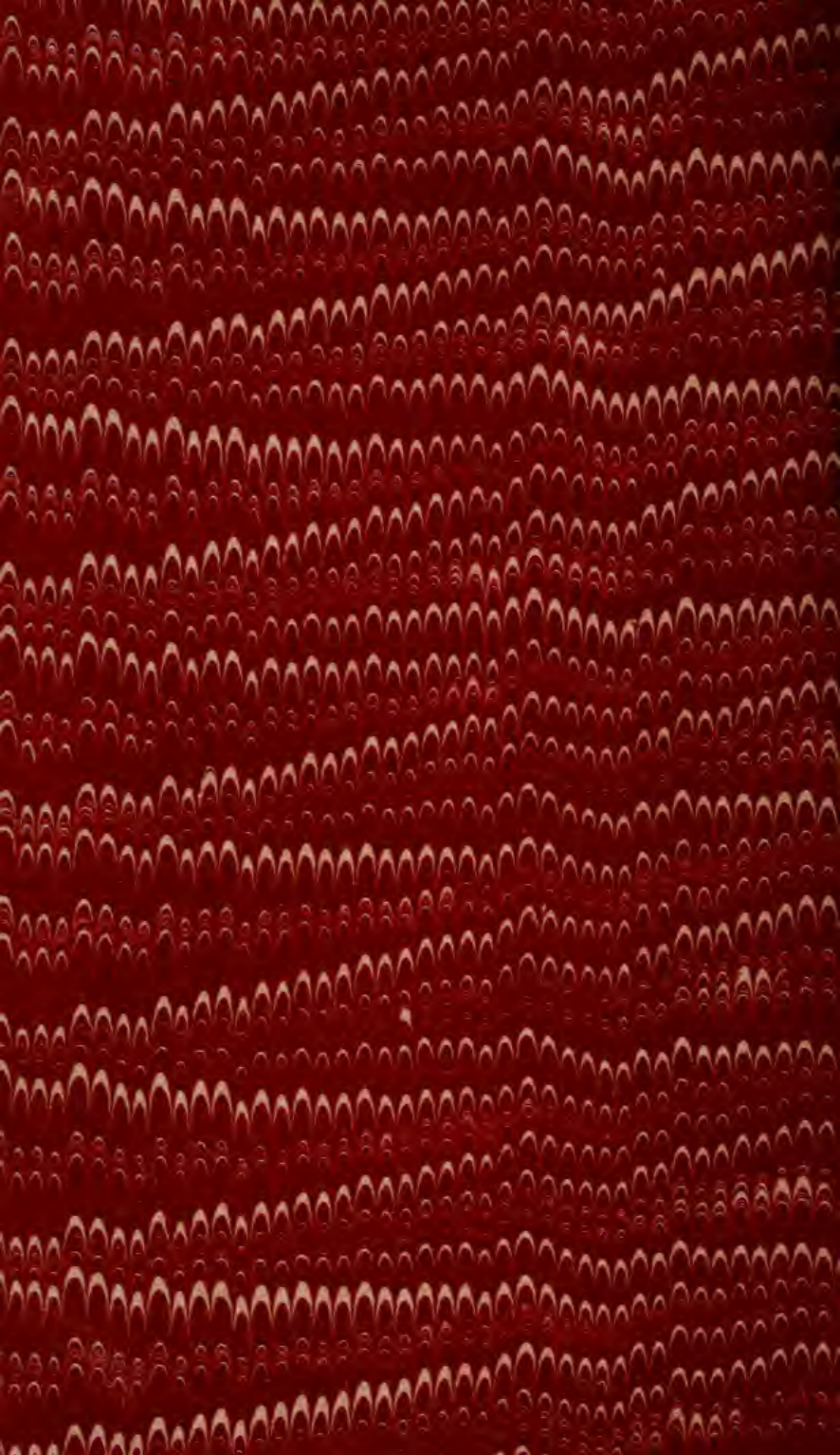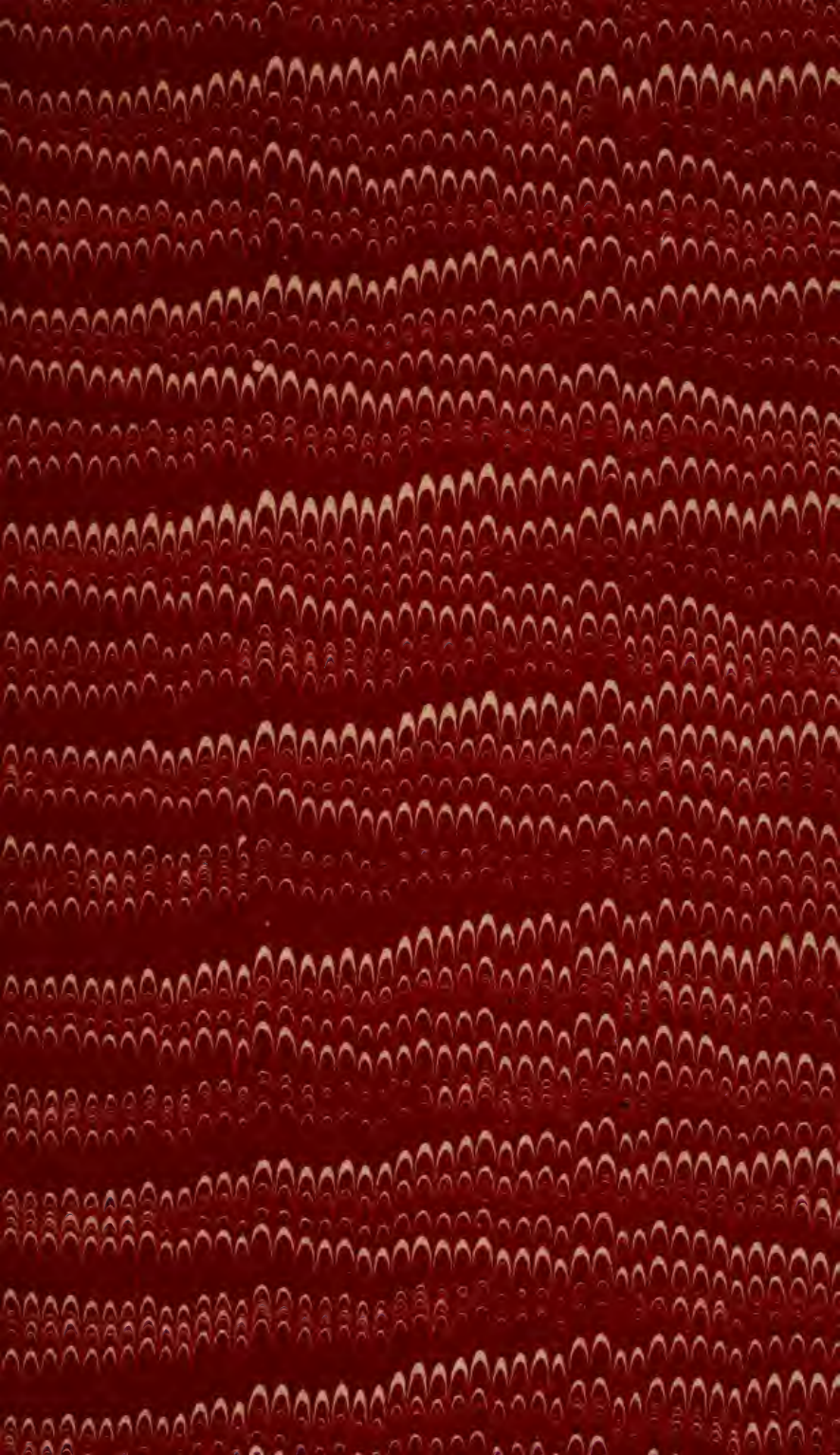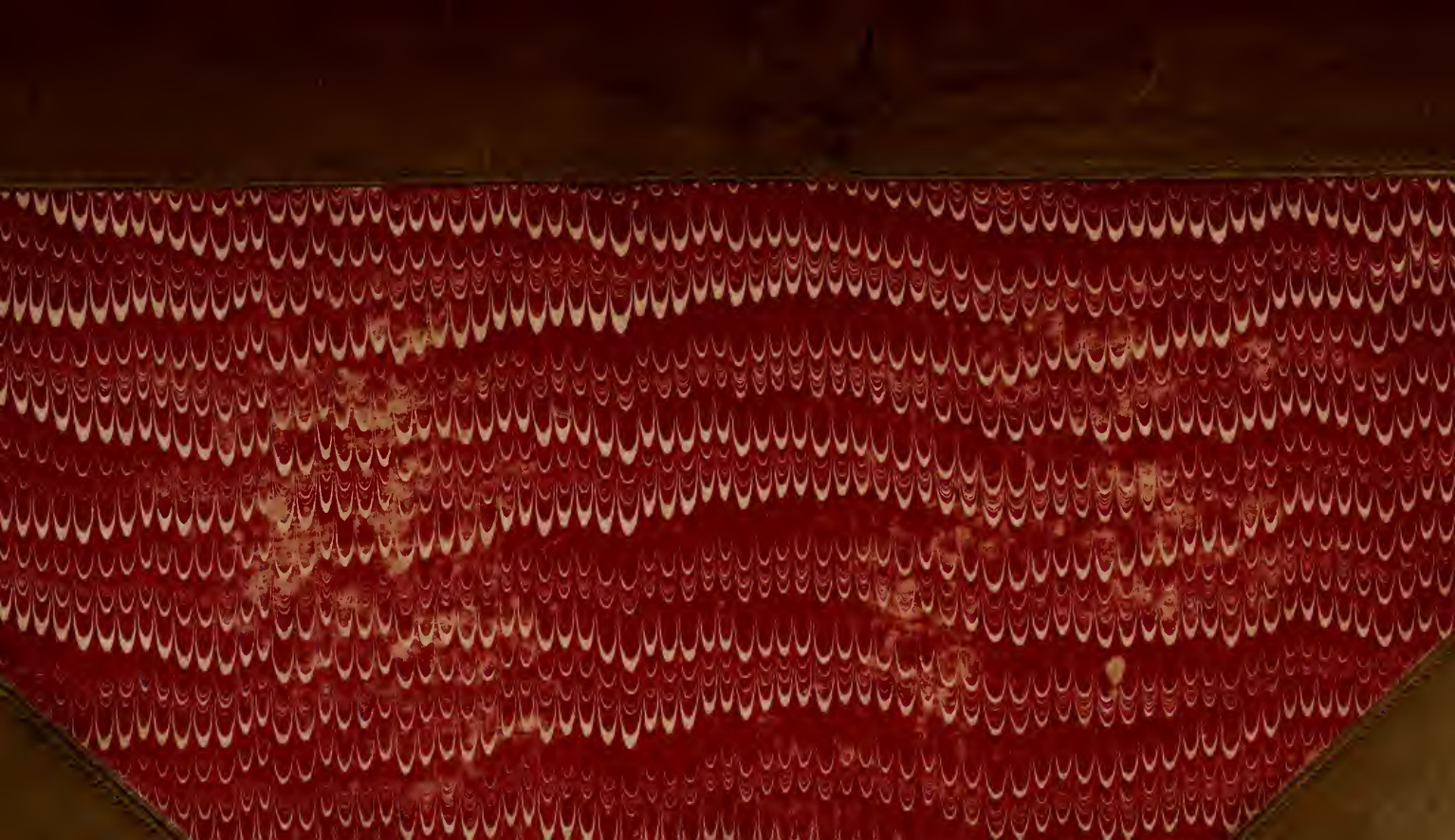
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